

THE  
WORKS  
OF

WILLIAM PRYNNE

of *Swainswick*, Esquire; since  
his last Imprisonment,

VIZ.

The first and second Part of a Seasonable, Legal and Historical Vindication of the Fundamental Right and Laws of *England*, much enlarged.

A Declaration and Protestation against Excise in General, and Hops a Native Incertain Commodity in particular.

A Polemicall Desertation, of the Inchoation and Determination of the Lordsday Sabbath.

An Old Parliamentary Prognostication, for the Members there in Consultation.

The *Quakers* unmasked, and clearly Detected to be the Spawn of *Romish Frogs*, &c.

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*London*, Printed; and are to be sold

by EDWARD THOMAS dwelling in *Green-  
Arbour*, 1 6 5 5.



THE  
WORKS

WHITE LAM PRYNE

of 2 main types, Epidemic; and

London, Printed; and are to be sold  
by Edward Thomas dwelling in Great

# The first and Second Part of A SEASONABLE, LEGAL, AND HISTORICALL VINDICATION, AND

*Chronological COLLECTION of the Good, Old, Fundamentall Liberties, Franchises, Rights, Laws of all English Free-men their best Inheritance, Birthrights, Security, against all Arbitrary Tyranny, and Egyptian Burdens) and of their strenuous Defence in all former Ages; of late years most dangerously undermined, and almost totally subverted, under the specious Disguise of their Defence and future Establishment, upon a false Basis, by their pretended, Greatish Propagators.*

## WHEREIN IS,

Irrefragably evinced by Parliamentary Records, Proofs, Presidents, That we have such Fundamentall Liberties, Franchises, Rights, Laws. That to attempt to effect the Subversion of all or any of them, is one of our Fundamentall Governments by and in Force, is High Treason. The principal of them summed up in X. Propositions. The chief printed Treatises asserting them, specified: A Chronological History of our Ancestors, real, fictitious, courage, prudence, in gaining, retaining, enlarging, defending, oft confirming and perpetuating them to Posterity, by Great Charters, Statutes, Writs, Customaries, Communications, Special Commissions, Consultations, Petitions, Declarations, Remonstrances, Oaths, Protestations, Prayers, Leagues, Covenants, and likewise by their Arms, when necessitated during all the Britons, Romans, Saxons, Danes, Normans and English Kings Reigns, till this present; collected for present and future publique benefit: with a Brief Touch of their late unparalelled Infringements and Subversions in every particular: The Trials of all Malefactors by their Peers and Juries, justified, as the most legal, best, most indifferent, and all other late arbitrary judicatures, erected for their Trials, exploded, as destructive both to our Fundamentall Laws and Liberties.

Collected, recommended to the whole English Nation, as the best Legacy he can leave them,

By William Prynn of Swainswick, Esquire.

The Second Edition Corrected and much Enlarged.

*Psal. 11. 3. If the Foundations be destroyed, what can the righteous do?*

*Psal. 12. 5. They know not, neither will they understand, they walk on in darkness: all the Foundations of the earth are out of course.*

London, Printed for the Author, and are to be sold by Edward Thomas in Green Arbour, 1655.

The first and second Part of

# SEASONABLE, LEGAL

THE HISTORY OF THE PARLIAMENTS OF GREAT BRITAIN

AND

IN PARLIAMENTS ASSEMBLED, FROM THE FIRST OF THE FIRST OF JANUARY 1701, TO THE FIRST OF JANUARY 1702.

*Errata.*  
In the Epistle, letter C. page 8. l. 6. read effect; D. p. 2. l. 9.  
In the Text, H. p. 5. l. 19. Censurera; I. p. 5. l. 13. of r. our  
K. p. 7. l. 28. r. Helm; L. p. 4. l. 20. r. exerceunt. In the Margin  
H. p. 3. l. 42. aliquem; I. p. 6. l. 27. passu L. p. 8. l. 23.

In the Book p. 4. l. 25. r. 21. of p. 13. l. 36. r. were resol-  
ved p. 19. l. 14. r. Vote of p. 24. l. 16. of p. 26. l. 15. of and  
p. 29. l. 23. Statuta p. 32. l. 26. r. E. 6. c. 5 p. 35. l. 6. to sedition  
p. 38. l. 19. r. parva.

In the Margin, p. 27. l. 13. there; other p. 64. l. 3. 45. r. 10. R. 2.  
p. 1. l. 1. H. p. 1. l. 28. H. 6. c. 5. l. 11. r. 4. 4.

London, Printed for the Author and are to be sold by Robert  
Taylor in Great Street, 1702.

The Second Edition of the History of the Parliaments of Great Britain

By William Rymer, Esquire, Secretary of State.

London, Printed for the Author and are to be sold by Robert

Taylor in Great Street, 1702.

London, Printed for the Author and are to be sold by Robert

Taylor in Great Street, 1702.



To all truly Christian Free-men of  
England, Patrons of Religion, Free-  
dom, Lawes, Parliaments, who shall  
peruse this Treatise.

This Epistle  
should have  
been printed be-  
fore the first  
part; but was  
omitted through  
hast.

Christian READER;

**I**T hath been one of the most detestable Crimes, and highest  
Impeachments against the Antichristian (a) Popes of Rome,  
that under a Saint-like Religion present of advancing the  
Church, Cause, Kingdom of Jesus Christ, they have for some  
hundred years by-past, usurped to themselves (as sole Mo-  
narchs of the World in the Right of Christ, whose Vicars they  
pretend themselves to be) both by Doctrinal Positions and  
Treasonable Practices (b) an absolute Sovereign, Tyrannical  
Power over all Christian Emperours, Kings, Princes of the  
World (who must derive and hold their Crowns from them a-  
lone, upon their good behaviours at their pleasures) not only to  
Excommunicate, Censure, Judge, Depose, Murder, Destroy  
their sacred Persons; but likewise to dispose of their Crowns,  
Scepters, Kingdoms, and translate them to whom they please.

In pursuance whereof, they have most traitorously, wicked-  
ly, sediciously, atheistically, presumed to absolve their Subjects  
from all their sacred Oaths, Homages, natural Allegiance, and  
due Obedience to them; instigated, encouraged, yea expressly

(a) See the se-  
veral Epistles of  
Frederick the  
Emperor against  
Pope Gregory  
the 9, and In-  
nocent the 4 re-  
corded by Mar-  
tini, p. 332. to  
693. passim.

(b) See Extrac-  
t de Majoritate  
& Obedientia  
Augustini Tri-  
umphus, Bellar-  
minus, Securus,  
and others. De  
Monarchia Ro-  
mana Pontificis  
Hospius Mil-  
l. 3. c. 4.

employed

enjoyed (under pain of interdiction, excommunication, and other censures) their own Subjects, (yea even some times) both by their Bulls and Agents, to revolt from; rebel, war against, depose, dethrone, murder, stab, poison, destroy them by open force, or secret conspiracies: and stirred up one Christian King, Realm, State, to invade, infest, destroy, usurp upon another; only to advance their own Antichristian Sovereignities, Usurpations, Ambition, Rapines, worldly Tempers and Ends: as you may read at leisure in the Statutes of 25 H. 8. c. 12. 28 H. 8. c. 10. 37 H. 8. c. 17. 13 Eliz. c. 2. 23 Eliz. c. 1. 35 Eliz. c. 2. 3 Jacob. c. 1, 2, 4, 5. 7 Jacob. c. 6. The Emperour Frederick his Epistles against Pope Gregory the 9. and Innocent the 4. recorded in *Matthew Paris*, and others, *Aventinus Annalium Boiorum*, Mr. *William Tyndal's* Practice of Popish Prelates, the second Homily upon *Wisunday*; the Homilies against disobediente, and wilful Rebellion; Bishop *Jewel's* view of a seditious Bull; *John Bale* in his lives of the Roman Pontiffs; Doctor *Thomas Bilson* in his True difference between Christian subjection, and unchristian Rebellion; Doctor *John White* his Sermon at *Paul's Cross*, March 24. 1625. and Defence of the Way, c. 6, 10. Doctor *Crakenthorpe's* of the Popes temporal Monarchy; Bishop *Morton's* Protestant Apology; Doctor *Beard's* Theater of God's Judgements, L. 1. c. 27, 28. Doctor *Squire's* of Antichrist; *John Bodin* his Commonwealth, l. 1. c. 9. The learned *Morney Lord du Plessy*, his Mystery of Iniquity, and History of the Papacy. The General History of France. *Grimston's* Imperial History. *Matthew Paris*, *Speed*, *Holinshed*, *Camden*, and others, in the lives of King *John*, *Henry* the 3. *Queen Elizabeth*, and other of our Kings, with hundreds of printed Sermons on the 5 of November.

\* *Henricus de Knighton, de Reventibus Angli.*  
a. l. 2. c. 14, 15.

\* The principal Instruments the Popes employed of late years, in these their unchristian Treasonable Designs, have been pragmatical, furious, active Jesuites, whose Society was first erected by *Ignatius Loyola* (a Spaniard by Birth, but An(c) SOULDIER by Profession) and confirmed by Pope *Paul* the 3. Anno 1540. which Order consisting one-ly

(6) See *Maffaei's*  
*Requis* &  
*Petrus Ribade-*  
*niera in vita*  
*Ignatii Loyola.*  
*Stylus Micro-*  
*co. me. p. 179.*

ly of ten persons at first, and confined onely to fifty by this Pope, hath so monstrously increased by the Popes and Spaniards favours and assistance (whose chief Janizaries, Factors, Intelligencers they are) that in the year 1636. (d) they caused the picture of Ignatius their Founder to be cut in Brass, with a goodly Olive Tree growing (like Jussus roote) out of his side, spreading its branches into all Kingdoms and Provinces of the World, where the Jesuites have any Colledges and Seminaries, with the name of the Province at the foot of the branch, which hath as many leaves as they have Colledges and Residences in that Province; in which leaves, are the names of the Towns and Villages where these Colledges are situated: Round about the Tree are the Pictures of all the illustrious Persons of their Order; and in Ignatius his right hand, there is a Paper, wherein these words are engraven, *Ego sicut Oliva fructifera in domo Dei*; taken out of Ps. 52. 8. which portraictures they then printed and published to the world; wherein they set forth the number of their Colledges and Seminaries to be no less then 777. (increased to 135 more, by the year 1640.) in all 932. as they published in like Pictures & Pageants printed at Antwerp, 1640. Besides sundry New Colledges and Seminaries erected since.

In these Colledges and Seminaries of theirs, they had then (as they print) 15591 Fellows of their Society of Jesus, besides the Novices, Scholars, and Lay-brethren of their Order, amounting to near ten-times that number. So infinitely did this evil weed grow and spread it self, within one hundred years after its first planting. And which is most observable, of these Colledges and Seminaries they reckoned then no less then 15 (secret ones) IN PROVINCIA ANGLICANA, in the Province of ENGLAND, where Six Rames Ma- were 267 SOCII or Fellows of that Society: besides 4 COLLEDGES OF ENGLISH JESUITES ELSEWHERE, IN IRELAND and elsewhere 8 Colledges of IRISH JESUITES, and in SCOTLAND and otherwhere 2 Residences of SCOTTISH JESUITES.

What the chief employments of Ignatius and his nume-

(d) See Lewis Owen his Jesuites Looking-glass, printed London 1639. the Epistle to the Reader, end p. 43 to 53. Jubileum, five Speculum Jesuiticum, printed 1644. p. 307 to 313. Hispanica Hist. Jesuitica, &c.

Speculum Jesuiticum. p. 210. See p. 10 & Canterbury's Death, p. 435, &c. Hidden Mark of Darkness. 168, 144.



(c) *Mercurius*  
*Julius*, tom. 1. p.  
 67. *Speculum*  
*Jesuiticus* p.  
 146.

(f) See *Letu*  
*Owen* his *win-*  
*ning Register*,  
 & his *Jesuit*  
*Looking glass*.  
*The Anatomy*  
*of the English*  
*Nunnery at*  
*Lidon*.

(g) *De Monar-*  
*chia Hispanica*,  
 theolani, &  
 p. 146, 147,  
 148, 149, 104,  
 234, 235, 236,  
 185, 186.

(h) See *Thom*  
*Campanella* de  
*Monarchia His-*  
*panica*. *Walson*  
*quodlibet*, *Col-*  
*toni Postuma*,  
 p. 91. to 107.  
*Cardinal de Of-*  
*fetti Letters*. *Ar-*  
*cana Imperii*  
*Hispanici*  
*Delph*. 1628.  
*Advice a tou*  
*les Effar*. de  
*Europe*, *touches*  
*les maxims*  
*Fundamentales*  
*de Gouvernement*  
 & *difficunnes*  
*Effaginals*, *Pa-*  
 ris, 1615.

rous swarms of Disciples are in the World, his own Society at the time of his Canonization for a Romish Saint, sufficiently discovered in their painted Pageants, then shewed to the people, (e) wherein they portrayed this new Saint holding the whole world in his hand, and fire streaming out forth of his heart (rather to set the whole world on fire by Combustions, Wars, Treasons, Powder-plots, Schismes new State, and old Church-Heresies, then to enlighten it.) with this Motto: VENI IGNEM MITTERE: I came to send fire

into the World; which the University of Cracow in Poland objected (amongst other Articles) against them. Anno 1622. and Alphonsus de Vargas more largely insatiate on in his *Relatio de Stratagematis & Sophismatis Politicis Jesuitarum*, &c. An. 1641. c. 7, 8, 24.

Their number being so infinite, and the (f) Pope and Spaniard too, having long since (by (g) Campanella's ad-

vice) erected many Colledges in Rome, Italy, Spain, the Ne-therland, & elsewhere, for English, Scottish, Irish, Jesuites (as well as for such secular Priests, Friars, Nuns) of purpose to promote their designs against the Protestant Princes, Realms, Churches, Parliaments of England, Scotland, Ireland, &c.

(h) See *Thom* to reduce them under their long proscribed (h) UNIVERSAL MONARCHY over them, by Fraud, Policy, Treason, in-

cessive Divisions, and Wars, being unable to effect it by their own Power; no doubt of late yeers many hundreds, if

not thousands, of this Society, have crept into England, Scotland and Ireland, lurking under several disguises; yea,

an whole Colledge of them late weekly in counsel, in or neer Westminster, some few yeers since, under Count the

Popes Nuncio, on purpose to embroyle England and Scot-land in bloody civil wars, thereby to endanger, shake, sub-

vert these Realms, and destroy the late King (as you may read at large in my *Romish Master-piece*, published by the

Commons special Order, An. 1643.) who occasioned, excited, so-moved the first and second intended (but happily prevented) wars between England and Scotland, and after that, the

unhappy Differences, Wars, between the King, Parliament, and our three Protestant Kingdoms, to bring them to utter de-

so-

solation, and extirpate our reformed Religion. The Kings Forces (in which many of them were Souldiers) after some years wars being defeated, thereupon their rather Ignatius being a SOULDIER, and they his Military sons, not a few of them (1) secretly insinuated themselves as Souldiers, into the Parliaments Army and Forces, (as they had formerly done into (k) the Kings) where they so cunningly acted their parts, as extraordinary illuminates, gifted brethren, and grand States-men, that they soon leavened many of the Officers, Troopers and common Souldiers, with their dangerous Jesuical State-politicke, and (l) Practises, put them upon sundry strange designs, to now mould the old Monarchical Government, Parliaments, Church, Ministers, Laws of England; erecting a New General Council of Army-Officers and Agitators for that purpose; acting more like a Parliament and Supreme Dictators, then Souldiers. And at last instigated the Army by open force (against their Commissions, Duries, Oaths, Protestations and Solemn League & Covenant) to Impeach, imprison, seclude, first eleven Commons; then some six or seven Lords; after that to secure seclude the Majority of the Commons House, suppress the whole House of Lords, destroy the King, Parliaments Government, Priviledges, Liberties of the Kingdom & Nation, for whose defence they were first raised, which by no other adverse power they could effect. This produced new bloody divisions, animosities, wars, in and between our three Protestant Realms and Nations; & after with our Protestant Allies of the Netherlands, (Campanella's express old projected Plans to subject us both to the Popes and Spaniards Monarchies, effected by the Spaniards Gold and Agents) with sundry heavy Monthly Taxes, Excises, Oppressions, Sales of the Churches, Crowns; and of many Nobles and Gentlemens Lands and Estates, to their undoing, our whole Nation impoverished, and discontent, an infinite profuse expence of Treasure, of Protestant blood both by Land and Sea, decay of Trade, with other sad effects in all our three Kingdoms; yea, sundry successive New changes of our publick Government, made by the Army-Officers; (who

(1) See my Speech in Parliament: p. 107. 10 119. and the Philo. of Independency.

(2) Exact Collection, p. 651, 652, 661, 666, 813, 814, 816, 826, 827, 832, 902, 904, 10

920. A Collection of Ordinances, p. 267, 313, 354, 424.

(3) See Pains Projects, the History of Independency, and Armes Declarations, Papers, Proposals, printed together, London, 1647.

De Monarchia Hist. c. 25, 27.

are (still ringing the changes) according to *Campanula's* and *Parsons Platforms*. So, that if *Fire* may be certainly discerned by the *smoke*; or the *Tree* commonly known by its *Fruit*, as the *Truth* it self resolves, *Matth. 12. 33.* we may truly cry out to all our Rulers, as the *Jews* did once to the Rulers of *Thessalonica*, in another case, *Act. 17. 6.* **THOSE (Jesuites) WHO HAVE TURNED THE WORLD UPSIDE DOWN, ARE COME HITHER ALSO;** and have turned our *Kingdoms, Kings, Peers, Monarchy, Parliaments, Government, Laws, Liberties, (yea, our very Church and Religion too, in a great measure) UPSIDE DOWNE, even by those very Persons, who were purposely raised, commissioned, waged, engaged by *Protestations, Covenants, Vows, Oaths, Laws, Allegiance and Duty*, to protect them from these Jesuitical innovations and subversions.*

And those *Jesuites, Spanish Romish Agents*, who have so far seduced, so deeply engaged them, contrary to all these Obligations, and to their own former printed Engagements, Remonstrances, Representations, Proposals, Desires, and **RESOLUTIONS**, for setting this Nation in its just Rights, the Parliament in their just Privileges, and the Subjects in their Liberties and Freedoms; published to all the World, in the name of *Sir Thomas Fairfax*, **THE ARMY, AND THE GENERAL COUNCEL OF THE ARMY**, in one Volume. London, 1647. (which they may do well to peruse) yea, against the *Votes, Intrigues, Desires, Advices*, of both Houses of Parliament, the Generality of the good Ministers, people of the three whole Kingdoms, and their wisest, best affected Protestants Friends, who commissioned, raised, paid, assisted them for far other ends O whether may they, will they not (in all humane probability) rashly, blindly, furiously henceforth lead, drive, precipitate them, to our whole three Kingdoms, Churches, Parliaments, Laws, Liberties total, final desolation, and the Armies too in conclusion, beyond all hopes of prevention, unless God himself shall miraculously change their Hearts, Councils, and reclaim them from  
\* their

their late destruction, ready violent courses: or put an book into their Noses, to turn them back by the way by which they came: or, set a timely period to their usurped Armed power and extravagant late proceedings, of such a desperate unparalleled; unprotestant strange Nature, as none but the very worst of Ignatius his Disciples and Engineers durst set on foot, or still drive on amongst us Protestants. Which I earnestly beseech, adjure, and conjure them now most seriously to lay o heart, before it be overlate.

Those who will take the pains to peruse all or any of these several printed Books (most of them very well worth their reading) written against the Jesuites and their Practices, as well by Papists as Protestants, as namely, *Fides Iesu & Jesuitarum*, printed 1573. *Doctrina Iesuitica principia capita*, Delph. 1589. *Aphorismi Doctrina Iesuitica*. 1608. *Cambionius*, De Studiis Jesuitarum abstrusioribus. Anno 1608. *Jacobus Thuanus*, Passages of the Jesuites. Hist. l. 69, 79, 83, 94, 95, 96, 108, 110, 114, 116, 119, 121, 124, 126, 129, 131, 132, 134, 136, 137, 138. *Emanuel Meteranus* his Passages of them, Belgice Hist. l. 9, 12, 17, 18, 19, 21, 23, 26, 30, 34. *Willielmus Baudartius*, Continuatio Meterani, l. 37, 38, 39, 40. *Donatus Wesagus*, *Fides Iesu & Jesuitarum*, 1610. *Characteres Iesuitica*, in several Tomes. *Elias Husemullerus*, *Historia Iesuitici Ordinis*, Anno 1605. *Speculum sive Theoria Doctrina Iesuitica, necnon Praxis Jesuitarum*, 1608. *Pasquier* his Jesuite displayed. *Petrus de Wange*, *Physiognomica Iesuitica*, 1610. *Christophorus Palargus*, his *Novus Jesuitismus*, Franciscus. de Verone, his *Jesuitismus Sicarius*, 1611. *Narratio de proditi- one Jesuitarum in Magna Brit. Regem*, 1607. *Consilium de Iesuitis Regno Polonia ejiciendis*. The Acts of the States of Rhetia, Anno 1561, &c 1612. for banishing the Jesuites wholly out of their Territories, NE STATUS POLITICUS TURBARETUR, &c. mentioned by *Fortunatus Sprecherus*, *Palladis Rhetica*, l. 6. p. 251, 273. *Melchior Valcius*, his *Furia Graecera*, &c. remissa, 1611. *Censura Jesuitarum*, *Articuli Jesuitarum*, cum communefactione illis oppo-

fina

*sita, Anti-Jesuites; au Roy par. 1613. Varia Doctrinarum Theologorum Theses adversus quadam Jesuitica Dogmata. The Remonstrance of the Parliament of Paris to Henry the Great against the re-establishment of the Jesuites; And their Censure of Mariana his book, to be publicly burnt, printed in French, 1610. recited in the General History of France, in Louis 13. his life, & Peter Mathew, l. 6. par. 3. Historia Francia. Varia Facultatis Theologiae & Curiae Parisiensis, quam aliorum Opuscula, Decreta & Censura contra Jesuitas, Paris 1612. Conradus Dackernus, De proprietatibus Jesuitarum, 1611. Quarrelarum inclitis Regni Hungariae adversus corruptelam Jesuiticam defensio. Lucas Oslander, his writing about the Jesuites bloody Plot; Han. 1614. Jesuitarum per unitas Belgii Provincias Negotiatio, Anno 1616. Radulphus Hopfmannus, Historia Jesuitica, 1619. Bogermannus his Catechismus Jesuiticus. Ludovicus Lucius, Historia Jesuitica, Basil. 1627. Arcana Imperii Hispaniae, 1628. Mercurio Jesuito, in several Tomes, Geneve 1626. De Conscientia Jesuitarum, tractatus. Censura sacra Theologiae Parisiensis, in librum qui inscribitur, Antonii Sanderelli Societatis Iesu, de Haeresi, Schismate & Apostasia, &c. Paris, 1626. Anti-Cotton; Ioannes Henricus, De liberatio de compescendo perpetuo crudeli Conatu Jesuitarum, Fran. 1633. A Proclamation of the States of the united Provinces, Anno 1612. And another Proclamation of theirs: with two other Proclamations of the Protestant States of the Marguesate of Miravia, for the banishing of the Jesuites, London 1629. Alfonsi de Vargas Toleranti, Relatio ad Reges & Principes Christianos, De Stratagematibus & Sophismatibus Politicis Societatis Iesu, ad Monarchiam Orbis terrarum sibi consuecendam: in qua Jesuitarum erga Reges & Populos optimo de se meritis infidelitatis, erga ipsam Pontificem perfidia, contumacia, & IN FIDEI REBUS NOVANDI LIBIDO, illustribus documentis comprobatur, Anno 1641. Iubileum, sive Speculum Jesuiticum, exhibens PRÆCIPUA JESUITARUM SCELERA, MOLITIONES, INNOVATIONES, FRAUDES, IMPOSTURAS, ET MENDACIA, CONTRA STATUM ECCLESIAE.*

\* An Excellent  
 Discovery of  
 their detestable  
 Treasonable  
 Doctrines and  
 Practises.



CLESTASTICUM POLITICUM QUE, in & citra  
EUROPEUM ORBEM; primo hoc centenariis confirmati  
illius Ordinis INSTITUTA ET PERPETRATA: ex  
viris Historicis, imprimis vero Pontificiis collecta, Anno 1644.  
(a piece worth perusing) Or else will but cast their eyes  
upon our own forecited Statutes, and the <sup>\*Now out of</sup> Proclamations of  
Queen Elizabeth, King James, and King Charles against Je-  
suites, and Seminary Priests. A brief Discovery of Doctor  
Allen's Seditious Drifts, London 1588. Charles Pages (a  
Seminary Priest) his Answer to Dolman, concerning the  
succession of the English Crown, 1601. William Warfon  
(a secular Priest) his Dedachordon or Quodlibets, printed  
1602. now very well worthy all Protestants reading.  
A Letter of A.C. to his Dis Jesuited Kinsman, concerning  
the Jesuites, London 1602. Romish Positions and Practises  
for Rebellion, London 1605. The Arraignments of Tray-  
tors, London 1605. John King Bishop of London, his  
Sermons on November 5. 1607, 1608. King James his  
Conjuratio Sulphurea, Apologia pro Juramento fidelitatis  
& Responsio ad Epistolam Cardinalis Peronii. An Exact  
Discovery of the chief Mysteries of the Jesuitical iniquity,  
and, The Jesuites secret Consultations, both printed Lon-  
don 1619. William Crashaw his Jesuites Gospel, London  
1621. William Feak of the Doctrine and Practice of the  
Society of Jesus, London 1630. The many printed  
Sermons of Doctor John White, Bishop Lake, Bishop  
Andrews, Doctor Donne, Doctor Feaby, Doctor Clerk,  
and others, preached on the fifth of November. Lewis  
Owen, his Running Register, London 1620. His Un-  
masking of all Popish Monkes and Jesuites, 1621. And  
his Jesuites Looking-Glass, London 1629. John Ger-  
his Foot out of the Snare, &c. London, 1624. With  
the Jesuitical Plois discovered in my Romes Master-piece;  
and, Hidden works of darkness brought to publick Light,  
London 1645. shall see the Jesuites and their Se-  
minaries charged with, convinced of, and condemned  
for these ensuing Seditious, Treasonable, Animonar-  
chical, Anarchical Positions and Practises; for which  
C their



their Society hath by publick Acts and Proclamations been several times banished out of Hungaria, Bohemia, Moravia, Poland, the Low Countries, Rhozia, France, Transylvania, Sweden, Denmark, the Palatinate, Venice, Ethiopia, Japan and Turkey, as well as out of England, Scotland, and Ireland; as most inoffensible Pests and Traytors; in many of which they have yet gotten footing again.

1. That at least fifty several prime Authors of that infernal Society of Jesus, in several printed books (which you shall finde specified in Doctor John Whites Defence of the Way, c.6, 10. *Aphorismi Jesuitarum: Iubilant, or, Speculum Jesuiticum*, p. 187, 188. and the Appendix to my Fourth part of the Sovereign power of Parliament, p. 187, 188.) have dogmatically maintained; "That the Pope hath absolute power, not onely to excommunicate, but judicially to suspend, mulct with temporal penalties, depose, de throne, **DEPRIVE OF HIS ESTATE**, and destroy any Christian Emperours, Kings, Princes, Potentates, by open Sentence, War, Force, secret Conspiracies, or private assassinations, and to give away their Crowns and Dominions to whoever will invade them, by Treason or Rebellion, at the Popes command; and that in cases of Heresie, Schism, Disobedience to, Rebellion against the Pope or See of Rome, Misd-administration, refusal to defend the Pope or Church against her adversaries, Insufficiency to Govern, Negligence, Tyranny, Excesses, Abuses in Governement, Incurrigibility, Viciousness of Life, and (m)

(m) Quando eorum malitia hoc exigat Reipub. vel Ecclesie NECES- SITAS sic requirit. Speculum Jesuiticum, p. 168, 169, 170. Mercure Jesu- ite, Part. 1. p. 384, 385. A'sensi de Var- gis Relatio &c. c. 55.

**NECESSITY OF THE PUBLICK GOOD, OR SAFETY OF THE CHURCH, STATE, OR CAUSE OF GOD;** as Antonius Santarellus the Jesuite particularly defines, in his Book De Haresibus, Schismatibus, &c. printed in Rome it self, Anno 1625. who affirms it to be, *Multum equum & Reipublica expediens; ut sit aliquis supremus Monarcha, qui Regum hujusmodi excessus possit corrigere, & DE IPHIS IUBILANTIBUS PHONEXARE*; sicut **PELRO** concessa fuit facultas **PURIFICANDI PAC- AN TEMPORALI**, imo etiam, **PACEM FOR- TIS**,



**POISONING**; lest perhaps he might infect others, or by his example or command, turn them from the faith. And thus the Kingdom of such an Heretick or Prince, is to be bestowed at the pleasure of the Pope, with whom the people upon pain of Damnation, are to take part, and fight against their **SUPREMACY**. Out of which detestible and Treasonable Conclusions, most Treasons and Rebellions of late time have risen in the Christian World; and the first spoke of the Gunpowder-treason too, as John Speed observes in his History of Great Britain, p. 1250. Whereupon the whole University of Paris censured them, An. 1625, and 1626. not onely as most pernicious, detestable, damnable, erroneous, and perturbing the publick Peace; but likewise, as Subversive of Kingdoms, States, and Republicks, seducing Subjects from their Obedience and subjection, and stirring them up to Wars, Factions, Seditions, & Principum parricidia, and the Murders of their **KINGS**.

\* Alphonsus de Vargas Relatio, &c. c. 55. Speculum Jesuiticum, p. 162, 163.

\* Hospinian. Hist. Jesuitica, l. 3.

2. That the Jesuites have \* frequently put these Treasonable, Seditious, Antimonarchical, Jesuitical, damnable Doctrines into practice, as well against some Popish, as against Protestant Kings, Queens, Princes, States: which they manifest,

(o) Hist. Galliae & Belgicae, l. 1. p. 126. Speculum Jesuiticum p. 46.

Hospinian. Hist. Jesuitica, l. 3. l. 159.

(p) See Speculum Jesuiticum and the General History of France in H. 3. Hospinian. Hist. Jesuitica, l. 3. l. 151, 152.

1. By (o) their poysoning *Jane Albrecta* Queen of Navarre, with a pair of deadly poysoned Gloves, onely for favouring and protecting the Protestants in France against their violence, Anno 1572.

2. By their suborning and animating (p) *James Clement* a Dominican Friar, to stab King Henry the third of France in the belly with a poysoned Knife, whereof he presently died, Anno 1589. for which they promised this Traytor, a Saintsship in heaven. Pope Sixtus the fifth himself commending this foul Fact in a long Oration to his Cardinals, as Insigne & memorabile facinus, non sine Dei Opt. Max. particulari providentia, & dispositione, ET SPIRITUS SANCTI SUGGESTIONE DESIGNATUM. facinusq; longe majus quam illud S. Judith, quae Holofer-

(q) Speculum Jesuiticum, p. 75.

3. By (q) Cammolet the Jesuite's publick justification of this

this *Clement* in a Sermon at *Rare* Anno 1593. wherein he not only extolled him above all the Saints, for his Treason against, and murder of *Henry* the 3. but broke out likewise into this further Exclamation to the people: *We ought to have some Ehud, whether it be a Horse, or a Soldier, or a Varlet, or at least a Cow-herd. For it is necessary, that at least we should have some Ehud.* This one thing only yet remains behind: for then we shall compose all our Affairs very well, and at last bring them to a desired end. Whereupon, by the Jesuites instigation, the same year 1593. one *Peter Barriere*, undertook the assassination of King (r) *Henry* the 4. of France: which being prevented, and he executed, thereupon they suborned one of their own Jesuitical Disciples, *John Castle*, a youth of 19 years old, to destroy the King: who on the 27 of December 1594. intending to stab him to the heart, missing his aim, wounded him only in the cheek, and stroke out one of his teeth; for which Treasonable act he was justified, applauded, as a renowned Saint and Martyr, by the Jesuites, in a printed Book of two, published in commendation of this his undertaking. As namely, by *Bonariscus* the Jesuite, in his *Ambulacrum*, *Franciscus Verona Constantinus* (a Jesuite) in his *Apologia pro Johanne Castello, contra Editionem Parliamenti, & Supplicium de eo ob Parricidium sumptum*, An. 1595. Where he thus writes of the attempt upon *Hen. 4.* *Whoever diligently ponders, that Henry was excommunicated, an Heretick, relapsed, a profaner of holy things, a declared publick enemy, an oppressor of Religion; and (thereupon) a person feudued from all right to the Kingdom; and therefore a Tyrant, not a King; an Usurper, not a lawful Lord; he verily, unless he be mad, and destitute of humane sense, and love towards God, the Church, and his Country, cannot otherwise think or speak; but that the fact of Castle was generous, conformed with Vertue, and Heroical, to be compared with the greatest and most praise-worthy facts which the ancient Monuments of Sacred and Profane Histories have recorded. One thing only may be disliked, namely, That Castle hath not utterly slain and taken him from the midst of us.*

(r) See the General History of France in the life of Henry 4. and Lewis 13. *Speculum Jesuiticum*, p. 77, 80, 116, 331. *Hospinian. Hist. Jesuitica*, l. 3. p. 153, to 158.

In

In sum, He denies this Henry to be any King of France, by right or inheritance, because, (in his and the Jesuites Opinion onely, not in Truth) he was both an Heretick, and A **TYRANT**. Asserting, That it was lawfull for Castle, or any other private man, **TO DEFEAT** A **TYRANT** OR **HERETICK**, much more then, him that was both.

\* Speculum Jesuiticum, p. 80, 81. Hospinian. Hist. Jesuitica, l. 3. § 156, 157.

And \* John Guignardus a Jesuite, (Fellow of the Jesuites Colledge of Claremount) in his Papers then seized by, and reported to the Parliament of Paris, Anno 1595. not onely compared Henry the third and fourth to Nero and Herod, and justified Clements murder of the one, and Castles attempt upon the other, as most Heroical and praise-worthy Actions: but likewise added, That if we in the year 1572. on Saint Bartholmews day, (in the General Massacre of the French Protestants) had **KILL'D THE PAPAL LEGATE**, (Henry King of Navarre) we had not fallen out of a Peavour, into that Plague, which now we finde. Sed quicquid delirant Reges pleruntur Achivi, **SAUVAGE PARCELD**. That King Henry should be but over-mildly dealt with; if he were thrust from the Crown of France, into a Monastery, and there had his crown shaven. That if he could not be deposed without a war, then a war was to be raised against him: but if a war could not be levied against him, the cause being dead, **CLAUDE MEDIS AD LACUM**: he should then be privily murdered and taken out of the way. For which the Parliament of Paris adjudged and executed him for a Traytor. Yea, so desperately were the Jesuites after this, bent to destroy this King, that \* Alexander Hay (a Scottish Jesuite of Claremont,) privy to Castles villany, used to say, That if King Henry the fourth should pass by their Colledge (the first there built for them) he would willingly cast himself out of his window headlong upon him, so as he might break the Kings neck, though thereby he brake his own. Yet was he punished but with perpetual Banishment. After which Jesuitical conspiracies detected and prevented, notwithstanding this King Henry (before these

\* Hospinian. Hist. Jesuitica l. 3. § 157, 158.

and all Zealous Protestant Freemen of England.

these two attempts to murder him had by their solicitations, renounced the Protestant Religion, professed himself a zealous Romanist, recalled the Jesuits formerly banished for the murder of Henry the third, against his Parliaments and Councils advice, reversed all the decrees of Parliament against them, razed the publick Pillar set up in Paris, as a lasting Monument of their Treasons and Conspiracies; built thro' a magnificent Colledge in Paris, indowed them with a very large Revenue; entertained Pere Costen (one of their Society) for his Confessor (who revealed all his Secrets to the King of Spain;) bequeathed a large Legacy of Plate and Lands to their Society by his will, and was extraordinary beautiful and favourable towards them; yet these bloody ingrateful Villains, animated that desperate wretch, \* Ravilliac, to stab him to death in the open street in Paris, Anno 1610. *See the General History of France in Hen. 4. and Lewis 13. Dr. John Whites Description of the since of the* Albignis the Jesuits Being privy to this murder, before it was perpetrated. Yea, Francis de Verona in his Apology for John Castle, p. 258. thus predicted his second mortal stab, in these words, *Though this Prince of Orange escaped the first blow, given him in his cheek, yet the next hit, whereof this was a presage; as the blow given by Castle SHALL BE THE FORE-TELLER OF AN EVER BLOW.* Such implacable Regicides are the Jesuits.

4. By their suborning, instigating sundry bloody instruments one after another, to murder (1) William Prince of Orange, prevented in their attempts by God's providence, till at last they procured one Balthasar Gerard to shoot him to death, with a Pistol, charged with three Bullets, An. 1584. the Jesuits promising him no less then **HONOUR** to self, **AND A CANONIZATION** **AND THE DIGNITY OF SAINT**, for this bloody Treason, as they did to James Clement before, for murdering the French King. And it is very remarkable, That after this murder of his, \* Thomas \* De Moarch. Campanella (a Jesuited Italian Frier) prescribed this as a principal means to the King of Spain of reducing the Netherlands under his Monarchy again, to sow emulation and

\* See the General History of France in Hen. 4. and Lewis 13. Dr. John Whites Description of the since of the

(1) See Grim- ston's History of the Netherlands p. 764. Thomas 1. 79. p. 136. Speculum Jesuiticum. p. 60. 61.

\* Thomas \* De Moarch. Hist. p. 17. p. 258.



and discords amongst them Nobles, States, and murdered Prince Maurice his son and successor, which he expresseth in these direct termes. *Paritne opus est, ut Serpens seditionis, Comas Scilicet Mauritijs Interimatur; non vero per bellum dirutum, copia illi danda est, magis magisq. succrescendi*: which they twice likewise attempted to affect; An. 1594, and 1598. No wonder that they so much endeavour by all means & instruments to suppress that noble family now, to whom the Netherlands principally owe their in'ranchisement from the Spanish yoke of bondage.

\* Chron. B. lgia  
Tom. 1. p. 719  
Tom. 2. p. 97.  
Metevanus l.  
17. p. 575.  
Hospinian.  
Hist. Jesuitica,  
l. 3. c. 205.  
(t) Speculum  
Jesuiticum, p.  
127.

5. By (t) their poisoning Stephen Borckay Prince of Transylvania, for opposing their bloody periecutiion.

(v) See Speed  
and Cambden  
in her life. Bi-  
shop Careltons  
Thankful Re-  
membrance of  
Gods Mercy,  
London 1624.  
(x) Hospinian.  
Hist. Jesuitica,  
Speeds History,  
p. 1181. Cam-  
den, Stow, Ho-  
linshead in the  
Life of Queen  
Elizabeth. Spe-  
culum Jesuiti-  
cum, p. 73.

6. By their manifold bloody Plots and Attempts from time to time, to murder, depose, stab, poison, destroy our famous Protestant Queen Elizabeth, by open Insurrections, Rebellions, Invasions, Wars, raised against her both in England and Ireland; and by intestine clandestine Conjuratiions; from which Gods ever-waking providence did preserve her. Amongst other Conspiracies, that of Patrick Cullen, an Irish Frier, (hired by the Jesuites and their Agents to kill the Queen) is observable. (x) Holt the Jesuite, (who perswaded him to undertake the murdering of her) told him, that it was not onely lawful by the Laws, but that he should merit Gods Favour, and Heaven by it; and thereupon gave him remission of all his sins, & the Eucharist, to encourage him in this Treason; the chief ground whereof (and of all their other Treasons against this Queen) was thus openly expressed by Inquis Francis, for Cullens further encourage-ment; That the Realm of England, then was and would be so well settled, that unless Mistress Elizabeth (so he termed his Dread Sovereign, though but a base Landreßson;) were suddenly taken away, All the Devils in Hell would not be able to prevail, to shake and overturn it. Which then it seems they principally endeavoured, and oft-times since attempted, and have now at last effected, by those who conceit they deseruit the Title of Saints (though not in a Romish Kalender) and no less then Heaven, for shaking, overturning, and making it No Kingdom.

\* See Watsons  
Quodlibets.

and all Zealous Protestants Free-men of England.

7. By their (y) Conspiracy against King James, to de-  
 pive him of his Right to the Crown of England; imprison, or  
 destroy his person: raise Rebellion, alter Religion, and sub-  
 vert the State and Government; by virtue of Pope  
 Clement the eighth his Bull directed to Henry Garnet,  
 Superiour of the Iesuites in England: whereby he com-  
 manded all the Archpriests, Priests, Popish Clergy, Peers, No-  
 bles and Catholicks of England; That after the death of  
 Queen Elizabeth by the course of Nature, or otherwise, who-  
 soever shall lay claim or title to the Crown of England, (though  
 never so directly or neerly interessed by descent) should not be  
 admitted unto the Throne, unless he would first tolerate the Ro-  
 mish Religion, and by his best endeavours promote the Catho-  
 lick cause: unto which by his Solemn and Sacred Oath he  
 should religiously subscribe; after the death of that miserable  
 woman; (as he styled Queen Elizabeth.) By virtue of which  
 Bull, the Iesuites, after her decease, dissuaded the Romish-  
 minded Subjects, from yielding in any wise obedience to King  
 James, as their Sovereign; and entred into a Treasonable  
 Conspiracy with the Lord Cobham, Lord Gray, and others, a-  
 gainst him, to imprison him for the ends aforesaid; or  
 destroy him: pretending that King James was no King at all  
 before his Coronation; and that therefore they might by force  
 of Arms, lawfully surprize his person, and Prince Henry his  
 Son, and imprison them in the Tower of London, or Dover-  
 Castle, till they enforced them by duress, to grant a free tolera-  
 tion of their Catholick Religion; to remove some evil Counse-  
 llers from about them, and to grant them a free Pardon for this  
 violence; or else they would put some further project in ex-  
 ecution against them, to their destruction. But this Conspi-  
 racy being discovered, The Traitors were apprehended, ar-  
 raigned, condemned, and Watson and Clerk (two Jesuites  
 Priests who had drawn them into this Conspiracy, upon the  
 aforesaid Pretext) with some others, executed as Traitors;  
 (z) all the Judges of England resolving, that King James be-  
 ing right Heir to the Crown by descent, was immediately upon  
 the death of Queen Elizabeth, actually possessed of the Crown,  
 and lawful King of England, before any Proclamation or Co-

(y) See Speeds  
 Hist. p. 1240,  
 1241, 1243.  
 John Stow, and  
 How, 1 Ju.

(z) Cook's Insti-  
 tutes, b. 7. and  
 Calvins Case 72  
 Report. f. 10, 11.  
 1 Jac. c. 1.

removal of him, which are but Ceremonies, (as was formerly adjudged in the case of *Queen Mary*, and *Queen Jane*, & *Maria*) there being no Interregnum by the Law of ENGLAND, as is adjudged, declared by Act of Parliament, 1 Jac. c. 1. worthy serious perusal.

8. By their (a) horrid Gunpowder Treason Plot; contrived, fomented, by Garnet (Superior of the English Jesuits) Gerard, Tensmod and other Jesuits; who by their Apostolical power, did not only commend, but absolve from all sin the other Jesuited Popish Conspirators, and Faux *The* *Souldier*, who were their instruments to effect it. Yea, the Jesuitical Priests were so Atheistical, as that they usually concluded their Masses with Prayers, for the good success of this hellish Plot, which was, suddenly, with no less than 36 Barrels of Gunpowder, placed in a secret Vault under the House of Lords, to have blown up and destroyed at once, King James himself, the Queen, Prince, Lords Spiritual and Temporal; with the Commons assembled together in the Upper House of Parliament, upon the 5 of November, Anno Dom. 1605. and then forcibly to have seized with armed men prepared for that purpose, the persons of our late beheaded King, then Duke of York, and of the Lady Elizabeth his Sister (if absent from the Parliament, and not there destroyed with the rest) that so there might be none of the Royal Line left to inherit the Crown of England, Scotland and Ireland; to the utter overthrow and subversion of the whole Royal Family, Parliament, State and Government of this Realm. Which unparalleled, inhumane, bloody Plot, being miraculously discovered, prevented, the very day before its execution, in perpetual detestation of it, and of the Jesuits and their traiterous Romish Religion, (which both contrived and approved it) the 5 day of November, by the Statute of 3 Jacobi, ch. 1. was enacted to be had in perpetual Remembrance, that all Ages to come, might thereon meet together publicly throughout the whole Nation, to render publick praises unto God, for preventing this infernal Jesuitical Design, and keep in memory this joyful Day of Deliverance;

(a) See 3 Jac. c. 1, 2, 4, 6. Speeds History, p. 1250, 1256. The Arrangement of Traytors, who: bers. Prayers for the 5 of November. Hospinian. Hist. Jesuitica l. 3. f. 163, 10 170.

cances; for which end, special forms of publick Prayers and Thanksgivings were then appointed, and that Day ever since more or less annually observed, till this present. And it is worthy special observation, that had this Plot taken effect, (b) It was agreed by the Jesuites and Popish Conspirators before-hand, That the Imputation of this Treason should be cast upon the Puritans, to make them more odious: as now they father all the Powder-Plots of this kinde, which they have not onely laid, but fully accomplished of late years against the King, Prince, Royal Posterity, the Lords and Commons House, our old English Parliaments and Government; upon those Independents, and Anabaptistical Sword-men, (whom they now repute and stile, the most reformed PURITANS,) who were in truth, but their meer under-Instruments to effect them; When as they (c) originally laid the Plots; as is clear by Campanella's Book, De Monarchia Hisp. ch. 23. and Cardinal Richelieu his Instructions at his death, to the King of France. And it is very observable, that as Courtney the Jesuite, Rector of the English Jesuites Colledge at Rome did in the year 1641. (when the name of Independents, was scarce heard of in England) openly affirm to some English Gentlemen, and a Reverend Minister (of late in Cornwall) from whom I had this Relation, then and there feasted by the English Jesuites in their Colledge, That now at last, after all their former Plots had miscarried, they had found out a sure way to subvert and ruine the Church of England (which was most formidable to them of all others) by the Independents; who immediately after (by the Jesuites clandestine assistance) infinitely encreased, supplanted the Presbyterians by degrees, got the whole power of the Army, (and by it, of the Kingdom) into their hands, & then subverted both the Presbyterian Government and Church of England in a great measure, with the Parliament, King and his Posterity; as Monsieur Miluere a Jesuited French-Papist observes. So some Independent Ministers, Sectaries and Anabaptists, ever since 1648, have neglected the observation of the fifth of November;

(b) Speed's Hist. p. 1240. The Arraignement of Traytors, and M. John Vicars History of the Gunpowder Treason.

(c) See Miluere his Victory of Truth, 1654. dedicated to the King of Great Britain.

(c) See my Epistles to Juss Patronatus, and Speech in Parliament.

Nota.

\* In his Victory of Truth, 1654. p. 15, 18, 24, 25, 26, 27.

(as I am credibly informed) and refused to render public thanks to God for the deliverance thereon, contrary to the Act, for this very reason, which some of them have rendered: That they would not mock God in publick by praising him for delivering the late King, Royal Posterity, and House of Lords from destruction, by Jesuits and Papists, when as themselves have since destroyed and subverted them through Gods providence; and repaid it a special mercy and deliverance to the Nation from Tyranny and Bondage, for which they have cause to bless the Lord: Performing that for the Jesuites and Powder-Trajners, which themselves could not effect. The Lord give them grace and hearts to consider, how much they acted the Jesuites, and promoted their very worst Designes against us therein; what infamy and scandal they have thereby drawn upon all zealous Professors of our Protestant Religion, and what will they do in the end thereof?

\* Upon which ground, many of them have since solemnized the 30 of January, instead of November 5.

\* See Militiere in Victory of Truth, p. 4. 1650 Jer. 5: 31.

(d) Rames Master-piece, p. 8, 18, 19.

Rames Master-piece, p. 8, 10 22.

(e) The Victory of Truth, Anno 1653.

9. (To omit all other Forraign instances cited in *Speculum Jesuiticum*, p. 124, 10 130. where you may peruse them at leisure) By (d) their poisoning King James himself in conclusion, as some of them have boasted.

10. By the Popes Nuntio's, and a Conclave of Jesuites Conspiracy at London, Anno 1640. \* to poison our late King Charles himself, as they had poisoned his Father with a poisoned Indian Nut, kept by the Jesuites; and shewed often by Conne the Popes Nuntio to the Discoverer of that Plot; or else, to destroy him by the Scottish wars and troubles, (raised for that very end by the Jesuites,) in case he refused to grant them a universal liberty of exercising their Popish Religion throughout his Realms and Dominions: and then to train up his Son under them, in the Popish Religion; To which not onely heretofore, but now likewise they strenuously endeavour by all possible means to seduce him; as appears more especially by Monsiur Militiere his (c) late book dedicated to Him for that purpose, to invite him to the Roman Catholick Faith. Surely all these premised instances compared together, and with that memorable

fabulous passage of the English Jesuite *Campion*, in his *Con-*  
*certatio Ecclesie Catholice*: (Or *Epistle to Queen Elizabeths*  
*Council*.) *Treviris* 1583. p. 22. *Velim sciat, quod*  
*ad Societatem nostram attinet, omnes nos, qui per totum*  
*Diem longo lateque diffusi sunt, quarum est continuus suc-*  
*cesso, & magnus numerus, Sanctum foras infillit, nec quam-*  
*diu nunc nostrum superavit, studium, & consilia nostra in-*  
*termittunt;* ad Reges Pereticos quibus modo tollendos  
 (as *Hospinian* relates, and expounds his words and mean-  
 ing) & Religionem vestram extinguere. *Iam pridem jacta*  
*est ratio, & inchoatum certamen nullius, nullus Anglo-*  
*rum impetus superabit;* so as to hinder this their holy League and  
 Covenant long since entered into, To destroy, take out of the  
 way, ruine all Protestant Kings throughout the World, under  
 the Notion of Hereticks by any means whatsoever, (and the  
 Protestant Religion together with them.) With a \* Copy of a  
 Letter sent by an Independent Agent from Paris, some few  
 weeks before the Kings removal from the Isle of *Wight*,  
 by the Army-Officers, declaring the Jesuite implacable En-  
 mity to the King, and to hereditary Monarchy throughout the  
 World. And an Express sent from Paris to the King him-  
 self, some three dayes before his seizure and translation  
 from *Wight*, to this effect, (as I have heard from per-  
 sons of Honour) That the Jesuites at a general meeting in  
 France, had resolved, by the power of their friends in England,  
 to seize on his Majesty, bring him to justice, and cut off his  
 head, because he had, contrary to their expectation, closed with  
 the Parliament, consented to the abolishing of Episcopacy, and  
 to five new Bills against Jesuites, Popish Priests, Mass, Po-  
 pery, and all Popish Ceremonies, in the last Treaty; and ad-  
 vising Him, to prepare for this new storm, which within few  
 days after fell upon him: will sufficiently inform the world,  
 that the late unparallel'd capital proceedings against our  
 Protestant King, (contrary to the Votes of both Houses  
 of Parliament) the Parliament Members, Peers House,  
 and forced, dissolved late Parliament too, \* proceeded not  
 from the Principles of our reformed Protestant Religion, as  
 this (f) Monsieur in his printed Pamphlet, would make

\* *Hospinian.*  
*Hist. Jesuitica,*  
*l. 3. c. 14. l. 4.*  
*f. 164.*

\* Printed by it  
 self, and at the  
 end of my Speech  
 in Parliament.

\* See An Apo-  
 logical Decla-  
 ration of the  
 Province of  
 London, &c.  
 Jan. 24. 1649.  
 (f) Page 5, 7,  
 8, 18, 33, 39,  
 &c.

his



(g) See my  
Speech in Parli-  
am<sup>t</sup> and Me-  
m<sup>o</sup>. The E-  
pistle to my J<sup>n</sup>  
Patronatus, &  
Tho. Campanil-  
la De Monar-  
chia Hist. s. 23.  
\* See the Decla-  
ration of the se-  
cluded Mem-  
bers, The Lon-  
don - Ministers  
and others, Re-  
presentation to  
the General,  
and the second  
part of the  
History of Indi-  
pendency.  
\* To their Gene-  
ral & Officers,  
even in unlaw-  
ful acts against  
the Parliament,  
King, Kingdom.

his Reader, the young King, to whom he dedicates it, and all the World believe; but from the *Popes* and *Jesuites* forecited *Treasonable Opinions*, seconded with their clandestine *Solicitations* and *Practises*: and that they, with some *French Cardinals*, *Jesuites*, as well as *Spanish* and *English*, (then present in *England* to promote their *Designes*) were the chief original *Contrivers*, *Promoters* of them, whoever were the immediate visible *Instruments*, as I have (g) elsewhere more fully demonstrated, for the wiping off this Scandal from our reformed Religion, & the sincere Professors of it, who both abominated and protested against it in *prim*. *Radolphus Hospinian* in his excellent *Historia Iesuitica*, l. 4. f. 244, 245. reckons up these three prime causes of the *Jesuites Regicides*, & other *Nocturnal Treasons*. The first is, that *blinde Obedience*, which they vow to their *Superiours*, to execute with great celerity, spiritual joy, and perseverance, whatever their *Superiours* shall enjoin them, by being persuaded, That all their *Commands* are *Just* to them, by renouncing their own *Opinion* and *Judgement* with a certain *Blinde Obedience*: and by believing, that those who live under *Obedience*, are carried and governed by *Divine Providence*, (a word now most in use with our *Army-Saints*, and *Souldiers*, wholly infected with this *Jesuitical Doctrine* of *Obedience*) by their *Superiours*, whithersoever they shall suffer themselves to be carried, or in what sort soever they shall be dealt with by them, (like a *Staffe* in the hand of a man, which readily obeys him that holds it, whithersoever and in what thing soever he will please to use it,) especially when backed with a pretext of *Necessity*, *Religious Safety*, *Publick Good*, *Exemplary Justice*, and promoting the common Cause for which their Society was first instituted. 2. That they hold themselves obliged to no *Kings*, *Princes*, or *Civil Magistrates* by any *Oath of Allegiance*, but only to the *Pope* and their *Generals*; and therefore think themselves free and unable to commit any *Treason* at all against them, although at the *Popes* and their *Superiours* commands they still rise up against, murder, or destroy them. 3. That they deem those *Kings*, *Princes*, which the *Pope* and *Jesuites*, or  
other

and all Zealous Protestant Freemen of England.

other learned men of their Religion, or the common people shall deem Hereticks; to be thereby wholly made incapable of any Empires, Kingdoms, or Principalities, or any other civil Dignity; yea, to be accursed Tyrants, unworthy of the name of Kings; that thereby their Subjects are totally absolved from the bond of Allegiance to them; and that thereupon it is lawful to kill and destroy them, and the murders of such are meritorious. Now that these three Jesuitical Grounds and Principles, (infused into our Army-Officers and Soldiers by the Jesuites and their Instruments of late yeers, against their Primitive Orthodox Positions, Protestations, Declarations, Oaths, Covenants, Engagements) backed with secret Avarice, Ambition, and Self-ends, were the principal impulsive Causes of all the extravagant violent Proceedings both against the late King, and Parliament (not the loyal Principles of the Protestant Religion) is apparent unto all the World, by the Armies own Declarations of Nov. 16. and Decemb. 7. 1648. Their True State of the Commonwealth of England, &c. 1654. and other Pamphlets for their justification, which all true Protestants blush at.

\* 3. That the Jesuites ever since the Establishment of their Military Order, under Ignatius their Martial General, have been the principal Firebrands, Bellows, Instruments of kindling, fomenting, raising, continuing all the publick commotions, wars, seditions and bloody fowls that have happened in or between any Kings, Kingdoms, States, Princes, Sovereigns or Subjects throughout the Christian world; and more particularly, of all the Civil commotions, wars in France, Germany, Transylvania, Bohemia, Hungary, Russia, Poland, England, Scotland and Ireland, to the effusion of whole Oceans of Christian blood: which one poetically thus expresseth,

(h) *Quicquid in Orbe mali pessimi Pecante Gaudito est,  
Quicquid turbatum tempora nostra vident,  
Cuncta Sodalitio mentis Nomine Jesu  
Accepta Historia teste, refertur licet.*

(h) *Jubiläum,  
sive Speculum  
Jesuiticum Epi-  
gramma.*

*Ita modo & vestra celebrare Encania Sella,  
Philistis inventum, Loiolana cohoris.*

(i) Hætu  
mullens  
Hist. Jesuit. c. 1.  
Speculum Jesu-  
itum, p. 61.

Yea, it is well worthy observation, what *Jacobus Cru-*  
*cinius*, a Jesuite (Rector of the Jesuites Novices at *Landsberge*)  
presumed to publish, in his *Explication of the Rules of the*  
*Jesuites*, Anno 1584. in these words: *The Father of our*  
*Society ought to be a Souldier*; because, as it is the part of  
a Souldier, to rush upon the Enemy with all his Forces, and  
not to desist, till he become a Conquerour; so it is our duty  
to run violently upon all, who resist the Pope of Rome; and  
to destroy and abolish them, not only with Counsels,  
Writings, and Words; Sed invocato etiam brachio se-  
culari, Igne & Ferro tollere & abolere, sicut Pontifex  
& nostra Mota (contra Lutheranos suscepta) Volumus  
& Mandant. But likewise by calling in to our assistance the  
secular Arm (of an Army) to take away, and destroy them  
with Fire and Sword, as the Pope and our Dathes (taken  
against the Protestants) Will and Command. And may  
we not then safely conclude, they have been the Original  
Contrivers, Fomenters, Continuers of all our late intestine and  
forraign wars, by Land and Sea, with our Christian Protestant

(k) Exa<sup>st</sup> Col-  
lection, p. 12. 10  
20 97, 98, 106,  
108, 107, 461,  
10 465. 491,  
491, 498, 508,  
574, 616, 631,  
10 638, 660, 10  
670. 812, 10  
828, 832, 834,  
849, 890, 10  
918, 651, 652,  
653.

(a) Relatio de  
S. ralogematis  
& Sophismatis  
Jesuitarum, c.  
4, 6, 7.

Brothers and Allies, (as (k) sundry Parliament Declarations  
of both Houses aver and attest?) And that many of them  
have secretly crept into, and lifted themselves Souldi-  
ers in our Armies, on purpose to put on foot their designs  
against our King, Kingdoms, Churches, Religion, and  
perpetuate our Civil Wars? And so much the rather,  
because, (a) *Alphonſus de Vargas* (a Spanish Popish Priest)  
informs us: That the Jesuites, being a Generation of Incen-  
diaries, are so well pleased with the name of their Founder  
of wild-fire, or an Incendiary; that though his christned  
name derived from Fire, and signifying a Caster about  
name as first was *Iunicus*, or *Inighitas*; Yet *Iohannes Euse-*  
*bium Nirenberger*, a Jesuite, in his Book, *De Vita Ignatii*,  
printed at *Madrid*, 1630. most falsely records, That his  
Parents at his Baptism, being in doubt what name to give  
him, thereupon the Infant himself, with a loud voice, said,  
We

He would be named Ignatius, to signify what office he should obtain in the Church and world, even to cast abroad fire in them, and set them all in a flame. Hereupon his Disciples the Jesuites, considering that this their founder was by his name A. Archbald, and a Mouldier by his profession, professed publicly to be King of Spain, his council and the world, this it was no less consonant to the mind, institution and statutes, then to the name of their warlike Father Ignatius, thus they should not only exercise, but Publicly profess and teach to others, Artem Pyrotechnicam, &c. the art how to make and cast abroad fire-balls, fire-works and wild-fire, so fire and burn houses and Cities: and likewise the art of warre, of setting Armies in battel array, of Assaulting cities, the manner of making Gun-powder, bullets, fire-balls; of casting Guns, and the manner and waies of making all other Military works, Engines, together with rules and precepts belonging to Navigation, & omnia maritimi belli munia: and all duties and incidents belonging to Sea-fights. Upon which they perswaded the King of Spain (notwithstanding the opposition of all the Universities of Spain against it) to erect a publick University for their fiery martial order at Madrid, and to endow it with an annual Revenue of ten thousand Crownes; wherein they set up a publick Lecture concerning war and all incidents appertaining therunto, with this Printed title: *Acroasis, De re Militari: in qua præcipue Doctrina & forma Militiæ veteris & Modernæ, & Species Mathematicum arti isti subordinatarum: quæ sunt Tactica, seu De Acie instruenda, Topographica, Machinaria Militaria, Organica Poetica, Pyrotechnica, &c. Hanc acroasis faciet, P. Hermannus Hago* (a Jesuit) *quarta pomeridiana usque ad quintam.* This is the first publick Military Lecture I ever read of erected in any University amongst Christians, and Professors of the (a) Gospel of peace: who are expressly en-

joynd by the (b) God of peace, and Prince (c) of peace (d) To put up their swords into their scabbards, because all those that take the sword, shall perish with the sword. (e) To beat their swords into plow-shares, and their spears into pruning-hooks: (f) not to lift up the sword against one another, neither To

E

learn

(a) Rom. 10. 15  
(b) Rom. 15. 33  
Heb. 13. 29.  
(c) Isai. 9. 6.  
(d) Mat. 26. 52.  
(e) Isai. 2. 4.  
(f) Mica. 4. 3.

learn war any more. Yet such bloody incendiaries and delighters in war are the Jesuits; that they thus publicly teach others the art of war and fire-works, to set the whole Christian world in combustions and open warres against each other; which they have everywhere accomplished; and that upon this account: that the Gospel of Jesus is principally to be taught and propagated by armed power, exercitu & armorum usu; by An army and the use of armes (whereby they now propagate it in our Kingdomes the quite contrary way, to the ruine of our Church and religion:) whereupon (f) Vargas passeth this just censure on them: *Hos velut Ignigenos illi Comici verbis recte quis a se amovet, & in malum rem abire jussert.*

(f) Cap. 7. p. 47  
and c. 23. p.  
132.

*Apaga illum ama; nam ille quidem Vulcani irati est filius. Quicquid tangit, Domine amovet; si prope abstes, calescit.*

And a German Frier in his *Astrum inextinctum*, gives this true Character of them: *Discordias inter suprema Reipublica Christiana capita seminare credimus esse veritati patrocinari; quam salvam esse negant, quamdiu Principes isti inter se non colliduntur. Ideo est flamma in Europa suscitare, sicut gloriantur Patrem societatis Ignatium, esse illum, de quo Christus dixerit, Veni ignem mittere in terram, hoc est, clasticum in aulis Principum canere, & illos inter se committere.*

4. That the (g) Jesuits from the first erection of their Military order, have conspired, attempted to subvert and utterly extirpate (under the name of Schismatickes, Hereticks, Gospellers, Heresie, and the Gospel) all professors whatsoever of the Protestant Religion and their Doctrines throughout the world, not onely by Machivillian plots and treasons, but by war, fire, sword, holy leagues, Armies & armed power, as is evident both by their bookes and Practices. To instance in a few particulars both abroad and at home. *Franciscus Veronus Constantiensis*, a Jesuite, in his *Apology for John Castle*, Anno 1595. part 5. c. 13. resolves, *That all wars to extirpate hereticks (Protestants) Are lawfull, yea more lawfull then*

(g) See Hospi-  
man. Historia  
Jesuitica. 14.  
f. 212, 213,  
214. and l. 3.  
throughout. Thu-  
anus Hist. l. 4.

against all other Infidels, because Heresie according to Gods word, is worse then all Infidelity. And if war be just against Hereticks, how much more just is it against the head of the Hereticks? And if it be just to extirpate Hereticks, call Kings out of all Christian Kingdomes. (which the Jesuites entred into an holy League to effect, as you heard before out of Cambray) How much more just is it in the most Christian Kingdom (France) to root out King Henry the 4. (whom they not onely warred against, but stabbed and murdered as aforesaid.) (h) *Thomass* (h) Geneva, 1620.  
*Historia*, 1.65. p. 238. and lib. 67. 299. records, That it is the opinion and Sentence of the Jesuites, that it is a pious and wholesome thing, that all Christians should lay violent hands upon Sectaries and Protestants: ought to be armed against them, and to make no peace, keep no faith nor truce with them; yea, that it would be more profitable for the Church, and more conducing to Gods glory, for all Christians to give over their wars: they wage against the Turkes by common consent, and to let the Turkes alone, and to turn all their arms and forces against the Evangelical Sectaries (or Protestants) which live amongst them, who are worse, and ought to be more odious to true Christians then Turkes: and utterly to destroy and persecute them to death, rather then to desert the unbelieving Mahometans, who are not so dangerous as they. *Hoc quam pie, et iuxta mansuetudinem Christianam dicatur, ipsi qui conscientias aliorum moderantur, conscientiam suam rogant;* Subjoynes *Thomass*, though a Papist. And *Joannis Paulus Windeck*, in his Book, *De extirpandis Hæres.* anid. 10. p. 404. 412. anid. 11. p. 480. and p. 244. positively determines, That the Lutheranes and Calvinists are to be persecuted with wars, and not onely to be terrified, but likewise deleted, cut off, taken out of the way, and utterly extirpated with arms and flames. That all Catholike Princes ought to enter into Holy leagues, associations & confederacies to destroy and root them out, as they did in France, Anno 1589. That the opportunity is not to be neglected, namely, Quando Protestantes Pecuniis exhausti sunt, when the Protestants Purfes and money are exhausted (as they are now amongst



us by excessive endless Taxes, Excises, Civil wars, and a perpetual army too much swayed by Jesuitical counsels, to eat us out, and ruine us with our Religion in conclusion, ere disbanded.) And that the Catholicks may more easily oppress and destroy these Sectaries, they are to be severed one from, and divided against each other, by sundry various arts and means, and all occasions laid hold on for this purpose. (And are we not so now in all our Realmes and Dominions more then ever, by the Jesuites and Romish Emissaries ?) Which the Emperor Charles the 5 observed (in his proceedings against the Protestants in Germany) to his great advantage. In pursuance of these Jesuitical (i) Positions, Anno 1576. and 1577. the King of Spain, Duke of Guise, with sundry others, Jesuited Popish Princes, Nobles and Papists of all degrees, by the Jesuites instigation, and Popes speciall approbation, entred into a bloody Conspiracy, or holy League, as they term it: To restore and retain the most holy worship of God, according to the forme and manner of the holy catholike Apostolike Church of Rome: to abjure all errors or corruptions contrary therunto, &c. To spend not onely all their Estates, but lives, to repeal all publique Edicts in favor of the Protestants and their associates; to extirpate all Heresies, heretickes, and pursue all such as publike enemies, with fire and sword to death, who should any way oppose or withstand this League, or refuse to joyne with them in it, or fall off from it upon any pretext, after this Oath to observe it. Which League they several times renewed: and in the (k) renovation thereof Anno 1598. the Jesuits openly boasted, That they would use their utmost endeavours that before the year 1600. began, Evangelium (So they termed the Protestant Religion) Madefectus ex obo toto extirpetur; Should be clean extirpated out of the whole world. The Massacres Slaughters of how many thousand Protestants by open intestine wars and bloody Conspiracies, this League occasioned in France, Germany and the Netherlands, together with the murders of two French Roman Catholike Kings, the (l) French and Belgick Histories of those times, will sufficiently inform the Reader. (m) In the year 1602. the Jesuites erected a new

Col-

(i) Richardi Dinathi Historia de bello civili Gallico, l. 6. p. 151. &c. The General History of France, p. 778. 779. Hospinian Historia Jesuitica l. 149. 150. Thuanus Historia, l. 63.

(k) Dinathus, Peter Mathew, Thuanus General History of France, Metzeranus, and others.

(l) Speculum Jesuiticum, p. 92. (m) Metzeranus Historia, l. 23. Speculum Jesuiticum, p. 100.

and all Zealous Protestant Free-men of England.

Colledge and Society at Thowen in Savoy, so contrived or secretly extirpate the Protestants, under the Notion of Hereticks.  
 1. by Preachings. 2. by pious frauds. 3. by ill armata: by force of armes: to which new Society, many Popish Kings, Nobles and others, gave their names: and in June that years listed above 25000 expert Soldiers, all Roman Catholicks, to put this their Designe Against the Protestants in execution upon the next opportunity: there being above 30 Jesuites disguised in Lay-mens habits imployed in England, to stir up the Papists and people there to joyn with them in this new Association, to root out the Protestants in all places by the Sword, the Principal Engine used by these Ignarians to effect it. To pass by (n) all the conspiracies and attempts of the Jesuites in Queen Elizabeths reigne, to extirpate our Religion and the Professors of it by open wars, Rebellions, Spanish and foreign invasions both in England, Ireland and Scotland, recorded by Mr. Camden, Speed and others in her life, and William Watson in his Quodlibets; with their attempts of like Nature in the beginning of King James his reign, recited in the Statutes of 3. Jacobi, c. 2. where all may peruse them: I shall onely acquaint you; That a little before the beginning of our late bloody wars Divisions, (contrived, fomented by the Jesuites and Papists, &c.) have elsewhere at large, discovered, and (p) many Parliament-Declarations attest) one Francis Smith an English Jesuite, openly affirmed to Mr. Waddesworth and Mr. Taxel, That it was not now a time to bring their Religion by disputing or Books of controversie, but It must be done by an Army, and By the sword. And it is very considerable, That when the Jesuites Spanish and Romish Agents had engaged the King and English Protestants against their Protestant Brethren of Scotland, 1639. to cut one anothers throats; the King of Spain had provided a great new Spanish Armado, by the Jesuites sollicitation, and a great Land-Army of old Spanish Soldiers to invade the Western and Southern parts of England, then delivred of all forces, Arms & Ammunition to defend it, all drawn to the Northern parts against the Scots; and to joyn with the Popish confederates here, to extirpate the English hereticks and

(n) See Hist.  
 pontifical-Hist.  
 Jesuitica L. 3.  
 f. 160. 161. 162

(o) Hidden  
 works of dark-  
 ness brought to  
 publique light.  
 Rames Master-  
 peece, Canter-  
 buries Doome.  
 (p) Exact  
 Collect. p. 691.  
 652. 661. 668.  
 813. 10 832.  
 902. 10 920.

and Protestants: which designe of theirs, through the *Hollanders* unexpected encounter, which scattered their fleet upon the *English Coasts*, and the *Pacification* with the *Scots*, before any engagement of both Armies, was happily prevented. That this Spanish Fleet was then especially designed for *England*, appears (besides other Evidences, which I have (q) elsewhere touched) by the confession of an *English Pilot* in that Navy upon his death-bed, mortally wounded in the first fight, to an *English Minister* and others, to whom he revealed it out of conscience; by some Letter; I have met with; and by a Pamphlet made and printed by the *Jesuites*, Anno 1640. intituled (r) *The Jubilee of the Jesuites*, taken from a *Papist* at *Redriffe*, and presented by *Sheriffe Warner* to the whole *Commons House*, November 14. 1640. Wherein among other Passages then read in the *House*, (entered in the *Journal* of that day, out of which I transcribed them: there was a *Particular prayer*, for the holy martyrs that scattered in the fleet sent against the *Hereticks of England*, 1639. with this advice; That the *Papists* must sit in troubled waters, (to wit, whiles that The King was engaged in the wars against the *Scots*;) with \* certain prayers added, for their good success in that Designe against the *Scots*. For the more effectually carrying on whereof, the *Popes Nuncio*, with the (s) *Colledge of Jesuites* then in *Queen-street*, secretly summoned a kind of Parliament of *Roman Catholics* and *Jesuites* in *London*, out of every County of *England* and *Wales*, in which Came the *Popes Nuncio* late *President*, by the *Queens commission* and direction, in April, 1639. Who granted and collected an extraordinary large Contribution, by way of *Subsidy*, from the *Papists*, to carry on this war against our *Protestant Brethren* of *Scotland*, and raise forces to joine with the *Spainards*, whom they then expected, to cut the *English Protestants* throats. The *Jesuitical* and *Prelatical Popish* party much displeased with the defeat of this their Plot, by the unexpected *Pacification* with the *Scots*, 1639. induced the King soon after to break and revoke it, (t) Anno 1640. (the very year of the \* *Jesuites Jubilee*, which they solemnized in all places, being

(q) The Royal  
Papists favour-  
rite p. 58, 59.  
Hidden workes  
of darkness  
brought to light  
p. 198.

(r) The Royall  
Papists favour-  
rite. p. 58. 59.  
Hidden workes  
of darkness:  
p. 198.

# Nota

\* Exact Collect.  
p. 12, 13.

(s) Hidden  
workes of dark-  
ness brought to  
publique light  
p. 189. to 193.  
and Romes  
Mastor-Peece.

(t) See the  
Kings declara-  
tion concern-  
ing that Treaty,  
Hidden workes  
of darkness.  
\* *Speculum sive  
Jubilaeum Je-  
suiticum.*

and all Zealous Protestant Preachers of England..

being the 160. year from the first Erection of their Order by Ignacius, Anno 1540.) they caused a new Army to be raised and sent into the North against the Protestants of Scotland to subdue & destroy them. At the same time they secretly (a) lifted an Army of no less then 7000. Romish Catholicks, kept in private pay, of purpose to cut the Protestants throats who should resist them, and to Conquer the Protestantants in England first, and then in Ireland; which Designs they were to put in execution, when the Pope or his Legat, with the Spanish, French and Venetian Ambassadors should appoint; who designed them to begin to execute it, when the King went into Scotland against the Scots; as O Conner (the Queen-Mothers Priest) confessed to Anne Hussey, who justified it to the Lords of the Council then, and afterwards, before the Lords in Parliament upon her Oath. The Jesuites were so confident of the good success of their designs amongst us, and compleat Victory over all the Protestants throughout the world this year of their Jubilee (making a Tyranny over their Enemies, one of their Notes of the true Church) that (2) they appointed a solemn Enterlude to be acted by their Society in the publique Hall at Aquiferan in Germany, in honour of their Jubilee: wherein they signified to the people, by printed Tickets and Pageants, that the Popish Church of Rome should be brought in upon the Stage, happily fighting against, triumphing and reigning over all her enemies every where thoroughout the world, in all ages till that present day, and especially of later times, by their means. The beginning of this Enterlude being happily acted, and succeeding according to their mindes; at last there were two Armies of soldiers brought by them upon the Stage, ready to encounter each other: the one of Jesuites and Papists fighting for the Church of Rome: the other, representing the Protestants warring against her. Before their fight, a Jesuitical actor, clad in black, personating a Popish Abbot-Priest, devoutly good success to the Popish Army, praying for it with an affected devotion and solemn invocation (or rather profanation) of Gods name: after which, the Popish Army of actors, as being certain of the instant victory,

(a) Hidden  
works of  
darkness p.  
225. 226.  
Canterburie  
Tourn. p. 459.

Nota.

\* See Bellar-  
min. de Notis  
Eccles. Nota. 19.  
(x) Speculum  
five Jubileum  
Jesuiticum. p.  
220. 18 224.

uttered

uttered these words to their Captain (as their parts directed them) with a loud reiterated voyce and shout: Perant, Perant, Antiquis est hostis Ecclesiae: Let him perish, let him perish, whoeuer is an enemy of the Church: whereupon a great part of the Stage on which they acted, together with the whole Popish Army (not one Souldier or Captain excepted) at the repeating of these words, and mishe, fell so the ground immediately, with so great celerity, that many of them felt they were fallen down, before they discerned themselves to fall; their feigned enemies of the Church (representing the Protestants) standing all fast, at least in place, if not in mind, on the other part of the Stage, which fell not at all. With this sudden fall, many of the Popish Army were bruised in peeces with the beams of the Stage falling upon them; who through pain and horror, needed Admonitors to silence their outcries; others having their bones broken and Limbes put out of joynt, were carried to the Chirurgeons to be dressed; and all the rest confounded with shame, crept away secretly under the Veile to their Lodging. And so this Jesuitical Entertaine, by divine justice, ended, in a real unexpected bloody Tragedy and real rout of the whole pretended victorious Popish Army of Jesuites; and the Scottish War, that year which they so much depended on (through Gods mercy, concluded in a blessed Peace and Union between both Nations. Whereupon, the (1) Irish Popish Rebels, by the Jesuites Plots and instigations, seconded with secret encouragements, and promises of assistance with Arms and Money from Cardinal Richlieu, the King of Spain, Pope, and other forraign Popish Princes, undertook the late horrid bloody Massacre of all the Protestants in Ireland, and surprisal of all the Forts, Castles, Arms and Ammunition therein, on the 23 of October, 1641. (2) being Ignatius Day, the Founder and New Canonized Saint of the Jesuited Society, for the greater Honour of their Patron, Order: they being the chief Plotters of this horrid bloody Treason. Which horrid Conspiracie, though happily discovered the night before its execution, at Dublin, and some few places else; yet it took effect in most other parts of Ireland, to the slaughter of neer two hundred thousand

(1) See Hidden works of darkness brought to publike light, p. 219. to 230. The Rise and Progress of the Irish Rebellion, and others.

(2) Hidden works of darkness, p. 243.

Prote-

Protestants there, in few months space, seconded with a bloody Warre, for sundry years, to the loss of many thousands more lives. To this Plot \* all the Popes in England were privy, who intended the like Massacre in England; and soon after by of darkest, p. the Pope and \* Jesuits instigations, by the assistance of Iovian 120.  
 Popish Princes, they engaged the King and Parliament in a long, lasting bloody unciull, unchristian war against each other, concluding in the King and Parliaments joint raising by an Army raised for their mutual defence, seduced thereunto through the Jesuits instigations and policies. After which, they engaged the Protestants of England and Scotland (formerly united by the Sacred Bonds and Covenants against them) to war upon, invade and destroy each other by land; and soon after that (by the Spanish \* Agents Assistance) raised a most dangerous bloody Warre between our Protestants old allies of the Netherlands and the English by Sea, to the infinite damage, peccudior of both, and the effusions of whole Oceans of the Gallant Christian Protestants blood, that ever yet was shed, the expence of more treasure and men in these intestine Wars, than would have conquered all Spain, Italy, and the Indies, had they been employed upon such a designe; and to the entailing of a \* perpetuall Army on us and our Posterities, more ready (as we have of late years found by sad experiments) to hearken to the Jesuits clandestine suggestions, seductions, and execute their fore-plotted Designs to ruine our Kingdomes, Parliaments, Laws, Liberties, Monarchy, Church, Religion, than to follow the Advice, Votes, Councils, Directions, Commands of our Rulers, Lawgivers, Kingdomes, and the best affected Protestants of all ranks; who first raised, and have so long maintained them, for quite other ends (hereafter touched) then what they (of late times) have much pursued, to the Popes and Jesuits great content.

5. That the Jesuits have endeavoured, attempted the convulsion, commotion, subversion and overthrow of the Empires, Kingdomes, and ancient settled Governments and States of Germany, Russia, Bohemia, Hungaria, France, Poland, but likewise of England, Scotland and Ireland, and to new model them into

\* Hidden Works of darkness, p. 120.

\* Exact Coll. p. 663, 664, 812 to 832.

A Collection of Ordinances, p. 267, 312, 314, 424, and the History of Independency.

\* See Tho. Campanella de Monarchia Hisp. c. 25, 27.

\* See the 29 Article of the Instrument of Government.



into \* other Forms of Government. What mould of  
 \* Exact Coll. Government they intended to cast England into, is thus  
 p. 33, 461, 462 long since described by William Watiss (a secular Priest)  
 491, 492, 493 in his Quindilbert, Anno 1602. page 309, 310, 330, 331.  
 917, 631. England is the main couthe of Christendome at this present, by  
 seditions, factions, tampering and assuring Heads: the onely  
 But, Mark, While, the Jesuits swim at, as well in immersion  
 in execution of their pretended expedition, exploit and action.  
 I am of opinion, that no man on earth can tell what Govern-  
 ment it is they intend to establish, raise and confirm, when  
 they come to their preconceived Monarchy: no not any of their  
 Plot casters. No question it is, but their Government shall be  
 as uncertain as their New conceived Monarchy: their Monar-  
 chy as mutable as their Reign, and their Reign as variable  
 as the Wind, or Proteus in his Complement. But no ques-  
 tion is to be made of it, but that the Government they do di-  
 rectly intend at this present is, A MOST ABSOLUTE  
 SOVERAIGNTY, DOMINION AND STATE,  
 CLEARLY EXEMPTED from any subordination,  
 TO ANY LAW or Lesser divine or humane, and there-  
 fore it is rightly called DESPOTICON in the highest de-  
 \* degree of exemplary immorality. \* IMPERIALITY AND  
 \* As not ours so ABSOLUTE REIGN, RULE AND AUTHO-  
 now? RITY, as containing in it three sorts of Government,  
 Scil. Monarchical, Aristocraticall, Democraticall, in mat-  
 ters of Counsell and managing of Common wealths causes;  
 nor in point OF REGALITY, HONOUR AND IN-  
 HERITANCE; For there shall be neither Title, nor Name,  
 nor Honour given, taken or done to any Prince, Duke, Mar-  
 quesse, Earl, Viscount, Lord, Baron, or the like, (all the Jesu-  
 itical Governours being Puritan like, Seniors, Elders, Pri-  
 vificials, &c.) neither shall there be any succession by Birth or  
 \* See the New blood, TO ANY HONOUR, OFFICE OR MA-  
 Government of GISTRACY from the Monarch, Pater General, to the  
 the Common. Minor, Pater Minister, but ALL SHALL GO BY  
 wealth of Eng- ELECTION OR CHOICE. Whether our late and  
 land, Artic. 29, present variable floating New moulded Government is have  
 16, 32, 33, 34. not been cast by this long since predicted Jesuitical  
 Mould

Mould, let with men, with all our late, yea present Governours, now sadly consider and determine.

6. That the \* Jesuits in a publique Disputation held at Madrid, published by them under this Title, *Con-* *Alphonsi de* *Pagan Relat-*  
*clusiones Publicas sub Regis Domini nostri passibile, instruct-* *io cap. 5.*  
ed the King of Spain (their Chief Protector, \* whom *Speculum Jee-*  
they most extoll above all other Kings, to promote both *suiticum p. 217*  
his universal Monarchy and their own thereby.) That *218, 219.*

'In relation to his Empire, Power was necessary, which  
'power they desired to be; A faculty, not only of re-

taining the Kingdomes he already possessed, but like-

wise of acquiring other mens. \*Persuading him by this

'Doctrine to believe: That he was therefore consecra-

'ted a Catholike King by God, that he might enjoy a

'faculty, not onely of keeping his own, but also OF IN-

·VADING AND SEISING UPON OTHER MENS

·DOMINIONS. For to retain ones own, was the praise

·onely of a private family: DE ALIENIS CENTARE

·REGIA LAUS EST: but it was a Royall praise to

·fight for that which is other mens: NEC REGNAN-

·DI CAUSA IUS VIOLARE CRIMEN EST, DUM

·CAETERIS REBUS PIETAS COLATUR: Neither

·is it a Crime to violate Law or Right, to ridg or gain

·a Crown, whiles that Piety in other things shall be ob-

·served. Which Jesuitical Machinilian unrighteous Do-

·ctrine, though Cas Alphonsus Vargas, a Spanish Popish

Priest resolves) it be diametrically contrary to the do-

·ctrine of our Lord Jesus, himself, instructing men, that

\* *aliqua obviare non Potentis Principis, SED IMPOTEN-*

*TIS AC VIOLENTI PRÆDONIS EST:* Yet the Je-

·suites and their Instruments of late years have sufficiently

·propagated it amongst our English Grantees and Army

·Saintes for a most sacred Oracle, as their violent invasions

·of others mens Realms, Powers, Offices, Pallaces, Lands,

·Estates, and Possessions of all kinds, by meer armed power

·and might demonstrate beyond contradiction.

7. That the \* Jesuites in their Book, *De Zelo S. Ind-*

*is in Religione sua instituenda,* printed at Madrid, p. 13.

·107.

·10

·F 2

·60

\* *Alphonsi de*  
\* *Pagan Relat-*  
\* *io cap. 5.*  
\* *Speculum Jee-*  
\* *suiticum p. 217*  
\* *218, 219.*

\* *Alphonsi de*  
\* *Pagan Relat-*  
\* *io cap. 5.*  
\* *Speculum Jee-*  
\* *suiticum p. 217*  
\* *218, 219.*

\* *See Joh. 20. 1.*  
\* *Eccl. 18. 5. 10*  
\* *14. Levit. 6. 1.*  
\* *4. Joh. 20. 19.*  
\* *20. 2. 24. 2. 1015*  
\* *Obad. 5. Jer.*  
\* *49. 9, 10.*

\* *Alphonsi de*  
\* *Pagan Relat-*  
\* *io cap. 5. 7. 10*  
\* *1. 2. 3. 16. 18. 19*  
\* *16. 57. & Ho-*  
\* *spiman Historia*  
\* *Jeuitical. 206*  
\* *13. 107.*

do glory; His Societatis proprium est, ut quodlibet novum  
 promit inventiones quibus homines ad Deum perducantur.  
 That this is the property of their Society, that it DAL-  
 LY BRINGS FORTH NEW INVENTIONS, where-  
 by men may be brought home to God (that is, to their  
 Religion and Society) the principle whereof they, and  
 Pargas record, to be these. Their persuading of men to  
 embrace the Gospel, by AN ARMY, the use of ARMES,  
 Power, Terror, Fire: Their Exercise of Merchandizing  
 (which many of them in most places & in \* Englands,  
 now use, they being very great Merchants, Factors, and  
 \* Returners of Moneys by Bills of Exchange) and of all  
 other Secular Employments, Callings, in Lay-mens ha-  
 bits, the more easily to insinuate themselves into all  
 Countries, Places, Companies and Societies of men to  
 infect, seduce, and discover their secrets, according to  
 this their received Maxime; JESUITA EST OMNIS  
 HOMO: a Jesuit is every man: that is, a man of all  
 Professions, Callings, Sects, Religions to effect his ends.  
 Their questioning, traducing, oppugning, censuring of  
 all the Articles of the Apostles Creed, and received  
 Principles, Doctrines of Christian Religion; corrup-  
 ting, fighting, falsifying the Scriptures themselves, to-  
 gether with Councils, Fathers, Schoolmen, and all  
 other Divines; but those onely of their own Order,  
 which they incomparably extoll above and prefer be-  
 fore all other: Their venting of new Opinions, No-  
 tions, Revelations, Expositions, Crochets, Heresies,  
 Problems, both in Divinity itself, and all other Arts  
 and Sciences in the Press, Pulpit, Universities, Schools.  
 And all these (as Pargas assures us) be their properties and  
 new inventions to propagate the Gospel, and draw men  
 unto God (which our Lord Jesus himself and his true  
 Disciples were wholly ignorant of) may we not certain-  
 ly conclude, that they have of late years been extraor-  
 dinary busy all this their worst work amongst us, and  
 more especially in spreading their Gospel by AN AR-  
 MY, and using upon them the use of ARMES, in imitation

\* Hidden  
 works of dark-  
 ness brought to  
 publique light,  
 p. 203, 204.

and all zealous Protestant Freemen of England.

of their Military Father Ignatius, with all other secular employments, and New Sects to draw Prostitutes and new separate Congregations to them, throughout our Realms, to destroy both our Church Discipline and Religion, as well as our Civill Government and Law.

8. That as the whole House of Commons in their \* Remonstrance of 25. December 1641. charge the Jesuites, and late Jesuited Court-Counsellors, with a Malignant and pernicious designe of SUBVERTING THE FUNDAMENTAL LAWS and Principles of Government upon which the Religion and Justice of the Kingdom are firmly established. \* *Ex off. call. p. 31 &c.*

So William Watson a Secular Priest, chargeth Father Parsons, the English Jesuite, and his Jesuited companions, in their Memorial for Reformation of England, when it should be reduced under the power of the Jesuites (as Parsons was confident it would be, though he should not live to see it) as wicked as Sew in Spain, Anno Dom. 1550. that they intended to have Major Charts, with our Common Fundamental Laws and Liberties, abrogated and suppressed: thus expostulated by William Watson in his Quadripartite, pag. 92, 94, 95. Father Parsons and the Jesuites in their deep Jesuited Courts of Parliament, begun at Styx in Plagieton, have compiled their Acts in a complete Volume, intitled: THE \* HIGH COURT OF REFORMATION FOR ENGLAND. \* And to give you a taste of their instant by that base Court of A-TRIBE of TRAITORS (as wisely (like to Cade, Jack Straw, and Tom Tidd) \* *\* Quare, unde ibi the High Court of Justice had not its title from hence.*

TURPING the AUTHORITY of both STATES, ECCLESIASTICAL and TEMPORALL in all their REBELLIOUS ENTERPRISES: these were principall points discussed, set down, and so decreed by them, &c.

He first mentions three of them relating to \* Churchmen, Scholars, and Church and Colledge lands: which were to be put in Penitents hands, and they all to be reduced unto Arbitrary Pensions, &c. And then proceeds thus to the Fourth. The fourth Statute was there made concerning the COMMON LAWS of this LAND, and that consisted of this one principall point, That, ALL

\* *Quare, unde ibi the High Court of Justice had not its title from hence.*

\* *Superiority Dialogue between a secular Priest and Lay Gentlemen; printed at Chancery, 1604. p. 29.*

‘THE GREAT CHARTERS of ENGLAND MUST  
‘BE BURNT; the manner of holding Lands in Fee  
‘simple, Fee tail, Kings service, Soccage or Villanage,  
‘brought into villany, scoggerie and popularity; and in  
‘few, the Common Law must be wholly annihilated, dissolved,  
‘and troden down under foot, and Caesars civill Imperiale  
‘brought amongst us, and sway for a time in their pla-  
‘ces. All whatsoever England yeelds, being but base, bar-  
‘barous, and void of all fence, knowledge, or discretion  
‘shewed in the first Founders, and Legislors; and on the  
‘other side, all whatsoever is or shall be brought in by these ene-  
‘mies of Moses, Solon, and refuse of Lycurgus, must  
‘be reputed for metaphysical, semi-divine, and of more excel-  
‘lency than the other were. Which he thus seconds, *Quod*  
‘*libet* 9. Article 2. p. 286. First, it is plain, that Father Far-  
‘fous and his Company ( divide it amongst them how  
‘they list ) have laid a plot, as being most consonant and  
‘fitting for their other Designments, That the Common  
‘Laws of the Realm of England must be ( forsooth ) either  
‘abolished utterly : or else, bear no greater sway in the Realm  
‘than the Civil Law doth. And the chief reason is, for that  
‘the State of the Crown and Kingdom by the Common Law is  
‘so strongly settled, as whilst they continue, the Jesuites see  
‘not how they can work their wills. And on the other side,  
‘in the Civil laws, they think they have some threads,  
‘whereby they may patch a cloak together to cover a  
‘bloody shew of their Treasons for the present, from the  
‘eyes of the Vulgar people. Secondly, the said good Fa-  
‘ther hath set down a course how every man may shake off  
‘all authority at their pleasures, as if he would become a new

*\* And is not  
this the chief  
Reason of their  
late endeavour-  
ed alterations*

\* And was not  
this the very  
principal right  
lawfully used to  
alter and alter  
Fundamentals?

Governments, off the King, and drew his Majesty's letters three Kingdoms witness the Armies printed Declarations, and the Justice Papers in pursuance of them, Jan. 3. 1649. See *Brit. Tel. Pers.* by John Rogers.

*and all Zealous Protestant Freemen of England.*

'gative, as that it may be lawfull for them, when they think  
 'meet, to place and displace Kings and Princes, as men do their  
 'Tenants at will, hirelings or ordinary Servants. Which  
 'anabaptistical and abominable Doctrine, proceeding from a  
 'scurrilous tribe of Traiterous Puritans, and other He-  
 'reticks, this treacherous Jesuite would now joyn into the  
 'Catholick Church, as a ground of his corrupt Divinity.  
 'And p. 330. 332. He intends to alter and change all Laws,  
 'Customs, and Orders of this Noble Isle. He hath prejudi-  
 'ced the law of Property, in instituting Government,  
 'Governours, and Hereditary Princes to be, **BENEPLA-**  
 '**CITUM POPULI**, and all other private possessions, ad bene-pla-  
 'cium sui. &c. Whether any such new deep Jesuitical Court  
 'of Parliament, and high Court of Reformation for England, to  
 'carry on this old Design of the Jesuites against our Laws,  
 'hath been of late years sitting amongst us in or neer West-  
 'minster, or elsewhere, in secret Councel every week. A di-  
 'vers intelligent Protestants have informed me, and *A great Sick-*  
 'Hugh Peters reported to divers on his own knowledge (being *ler: against our*  
 'well acquainted with their Person and practices of late *Laws and a*  
 'years) it concerns others neerer to them, and more able *promoter of this*  
 'then I to examine. Sure I am, a greater man by far then *Jesuitical de-*  
 'Hugh Peters, in an Assembly of Divines and others, for re- *signs.*  
 'conciling all dissenting parties, not long since averred *That he hath*  
 'to them on his own knowledge: 'That during our late *performed this*  
 'Innovations, distractions, subversions in Church, State, *in a printed*  
 'and overturning of Laws and Government, the common *speech in the*  
 'adversary hath taken many advantages, to effect his de- *Printed Mem-*  
 'signes thereby in civil and spiritual respects. 'That he knew *ber before a*  
 'very well, that Emisseries of the Jesuites, never came over in *greater diffi-*  
 'those swarms, as they have done, since these things were on foot. *ty, Sep. 4. 1650*  
 'That DIVERS GENTLEMEN CAN BEAR WITNES *The more*  
 'WITH HIM, that they had a CONSISTORY AND *shame for these*  
 'COUNCEL ABROAD, THAT RULES ALL THE *words, is?*  
 'AFFAIRS OF THE THINGS IN ENGLAND. That *Therefore of*  
 'they had fixed in England. In the limits of small Cathed- *the army and*  
 'drals (of which he was able to produce the PARTI- *others rulers*  
 'CULAR INSTRUMENT) an Episcopal power, with *by this clear*  
 'Arch- *public manifest-*



*To the truly Christian Reader,*

Archdeacons and other persons, to pervert, seduce,  
'and deceive the people: And all this, whiles we were  
in this sad and deplorable distracted condition. Yea,  
most certain it is, that many hundreds (if not some  
thousands) of them, within these few years, have been  
sent over from Forraign Seminaries into England under  
the disguises of \* converted Jews, Physicians, Chyrurgions,  
Mechanicks of all sorts, Merchants, Factors, Travellers, Sould-  
diers, and some of them particularly into the Army; as  
appears by the late printed Examination of Ramsey the  
Anabaptized, New-dipped Jesuite, under the mask of  
a Jewish Convert, taken at New Castle in June 1653.  
and by sundry severall late instances I could name.  
To pretermite all instances of diverse particular Jesuites  
come over into England, not only within these few years  
but moneths, discovered by persons of credit, with Sir  
Kerelm Digby; who though the son of one of the executed  
old popish Gunpowder Traitors; a dangerous alive seducing  
Jesuites papist, if not a professed Jesuit; who in the years 1638  
and 1639. conspired with the Popes Nuncio and a Conclave of  
Jesuites sitting in Council at London, to subvert our Religion,  
introduce a universall tolleration of the popish Religion in our  
kingdomes, new-moode and shake our former established govern-  
ment, and to payson, destroy the late King himself, in case he con-  
sented not to them therein: and for this very purpose, both plot-  
ted, raised, promoted the first Wars between the Protestants of  
England and Scotland; which be abetted all be could, by his  
letters and secret Collections of moneys from all the Popish  
througbout England and elsewhere, who largely contributed to  
this war and desene: for which he, Sir John Winter, Master  
Mountague and others (who had a hand in this conspira-  
cy) were convened and brought upon their knees at the Com-  
mons House-bar, Jan. 28. 1640. upon which he rettyring  
into France was about May 1645. sent as a speciall Embas-  
sador from the Queen to the Pope of Rome himself, to soli-  
cit him for ayds of monies, men, arms, against the Parliaments  
whereupon

\* As amongst o-  
ther, Elias Bar  
and Joseph Bar  
Isaiab, 2 chea-  
ting impostors  
and Villains,  
who have bea-  
ted good people  
of some thou-  
sands of pounds  
The 1 of them  
would have for-  
sibly ravished  
a maid in  
March last, &  
fled away in  
the night to a-  
void apprehen-  
sion, from Durs-  
ly in Gloucester-  
shire. He confe-  
sed in his drink  
he was a sould-  
dier in Prince  
Rupertes army.  
\* Jac. 4. 1. 2.  
The arraign-  
ment of trai-  
tors, Speed.  
Stow, 3. Jac.  
\* Romes disaster  
piece p. 8. etc.  
13. 24. Midden  
works of dark-  
ness brought  
to publick light  
p. 189. 190.  
196. 205. 111.  
153. 274. Ex-  
alt. 4. 11. Mon.  
p. 11. 13.  
Cantuarie  
Diomp. 453.

in first audience, he had the best reception, and fairest Promises of Aid in general that could be wished; writing hopefully of supplies of Spongers from Rome to the Queen and others, as both Houses of Parliament in their (c) Declaration and Letters, (published 26 March 1646.) proclaim to all the world) and likewise good Hopes of (d) a Cardinals Cap for himself, or the Lord Aubeny, or Mr. Mountague, for which he and the Queen solicited. After that, upon his return from Rome, he was sent over into England about Decemb. 1648. as (e) a fit instrument to New-mould us into a Commonwealth, and promote the violent Proceedings of the Army Officers and their Confederates (set on work by the Jesuits and their Agents,) against the late King, Parliament, Members: where, upon his arrival, he was, instead of being apprehended and brought to justice for the premises, hugged by some Grandees whom he courted, permitted to ride and walk about at large, while the Members were under strict guards and restraints; frequently repaired to Whitehall, where he was well received; his Sequestration totally taken off, without any Fees or gratification, by special order; and himself now at last permitted to lodge not only in Wildemans Houle, (where the Queens Campuchins formerly resided) but sometimes in Whitehall it self; to the admiration of many understanding Protestants, who justly suspect, he hath there more disguised Jesuits to consult with, and promote both their old and new designs against our Church, State, Religion, Laws, Liberties, till they have brought them and us to utter ruine. I shall for brevity sake acquaint you with one memorable general instance, discovering what swarms of Jesuites are now amongst us, under other visors. An English Protestant Nobleman (a person of honor) whose Ancestors were Papists, being courteously entertained within these two years at Rome by some eminent Jesuits in their chief Colledge there, was brought by them into a Gallery having Chambers round about it, with Titles over every door for several Kingdoms, and amongst the rest, one for ENGLAND. Upon which, he enquiring of the Jesuits, what these titles signified; was answered by them, That they were the Chambers of the Provincial Jesuits, of each Kingdom and Province (written over the respective doors) wherein they had any members of their

(c) A Collection of Ordinances, &c. p. 831, 832, 833, 851, 852, 858, 869.

(d) Hidden Works of Darkness, &c. p. 252, 253, 254.

(e) See the Letter in the Appendix to my Speech in Parliament, & Relation of the Armies Proceedings against the Members; The II. Part of the History of Independency.

society now residing, who received all Letters of Intelligence from their Agents in those places every week, and gave account of the same to the General of their Order. That the Provincial for England, lodged in the Chamber over which the word ENGLAND was written, who could show him the last news from England: which he desiring to see, they thereupon knickered at the door, which was presently opened: the Provincial being informed who & what the Lord was, read the last news from England to him. Hereupon the Nobleman demanded of them, Whether any of their Society were now in England? & how they could stay with safety, or support themselves there, seeing most of the English Nobility, Gentry, and Families that were Papists, were retired to their Estates, or sequestered by the late Wars & troubles, so that they could neither harbour, conceal nor maintain them, as they had done heretofore? They answered, It was true; but the greater the dangers and difficulties of those of their Society now in England were, the greater was their merit. And that they had then above fifteen houses of their Society in England, able to work in several Professions & Trades, which they had there taken upon them, the better to support & secure themselves from being discovered; (who, together with some Papish Priests and Friars no doubt, upon diligent inquiry will appear to be the chiefest Speakers, Quakers, Disputers, Seducers, Rulers in most separate Congregations, and the principle brokers of all New Opinions, Blasphemies, now abounding amongst us.) This Relation I have heard from the mouth of a Reverend Divine more than once; to whom this Noble Lord, upo his return into England not many Months since, seriously related the Premises, covering the truths of them upon his Honour. Yet for all this, since the stupendious pretended repeals and annihilations of the Oaths of Supremacy and Allegiance, & that of Abjuration of Popery (consented to by the late King in the 11th of his life) purposely made for the better detection and prevention of Jesuites, and their treasonable forementioned practices against our Church, Kingdom, Princes, Religion, Parliaments, and Government, by the wisdom and zeal of our best affected vigilant Protestant Parliaments; I can neither hear nor read of any effectual means, endeavoured or prescribed by any in power, for the discovery of these Romish Tan-

\* Nota,

\* See the Quakers unmasked.

\* 1 Eliz. c. 1.

5 Eliz. c. 1.

3 Jac. c. 1, 2, 3.

5. 7 Jac. c. 6.

nizaries,

fineries, or banishing, resetting, and keeping them out of England, where they have wrought so much mischief of late years, and whose utter ruine they attempt: nor any encouragement at all given to the Discoverers of their Plots and Persons; but many affronts and discouragements put upon them, and particularly on my self, lately inewed up close Prisoner, under strictest Guards in remotest Castles, near three years space (without any Accusation, bearing or particular cause yet assigned or disclosed to me, though oft then and since demanded by me from my Imprisoners) whilst they all walked abroad at large, of purpose to hinder me from any discoveries of their practices by my Pen, where as they printed, vended publicly here in England above 30000 Popish Books of several kinds during my imprisonment, without the least restraint, to oppugne our Protestant established Religion (as many of them do in *terminis* as most damnable Heresie) propagate the Jesuites Plots, and antichristian Romish Church and Religion amongst us, as you may read at large in the *Stationers Beacon* fired; which reasonable book, and Discovery of these Romish Emislaries books and plots, some \* *Officers of the Army*, in their *Bacon* quenched, publicly trauced in print, as a *New-Powder-Treasure* of the *Presbyterian Party*, to blow up the Army, and that pretended *Parliament* (of their own erection) which themselves soon after blew up and dissolved in good earnest, pleading for a free Toleration of such Popish Books, and all Religions, as agreeable to the *Armies Engagements and Principles*, to carry on their designs against our Religion and Laws. But most certain it is; there hath been of late years not only a *General Council* of *Officers of the Army* sitting many moneths together in Council, to \* alter and new model all our ancient Laws and Statutes, in pursuance of *Father Parsons*'s design; but likewise two *Conventicles* of their own sedition and election, sitting of late in the *Parliament House at Westminster*, assuming to themselves the Name, and far more than the Power, of the *Parliament of the Commonwealth of England*; together with the transcendent ambitious Title of *The Supreme Authority of the Nation*, (in derogation of the *Army Officers Supremacy*, who sufficiently chastised them for this strange usurpation)

\* My Imprisoners have lately professed to me, that they knew not the cause why I was thus close imprisoned.  
\* See *Causa*, the *Jesuites Holy Court* printed in Folio.

\* T. P. the new Faux is first.

\* See their Declarations, Proposals, and printed Papers, 1647. 1648, 1649, 1651, & since for that purpose.

\* Qui tam facile receptas & patrias leges cum novis aliis commutant, certe legum ipsarum auctoritatem debilitant atque enervant. Nec enim tantum legis abrogatio proderit, quantum Magistratibus non obediendi mos obervit. Aristotele Polit. l. 2. c. 6.

(f) And since this in a Printed Speech, Sept. 4 1654.

\* Hath not the Army done this in our three Nations? See their own Chaplain Sedgewick, his Justice on the Armies Remonstrance 1648.

(r) The Monarchy of England hath been, 1. In the Britons, 2. in the Saxons, 3. In the Danes, 4. in the Normans Royal Line, & now the 5. must be elective in others. (v) De Monarchia Hisp. c. 25. See the Epistle to my Jus Patronatus.

(x) Art. 1, 2, 12, 25, 32, 33, 41, 42.

who have made it their chief business, not only to New-model our ancient Fundamental Government, Parliaments, Ministry, Ministers maintenance, by Glebes, Tithes, and our Universities, much according to Parsons and his Fellow Jesuites forementioned Plat-formes, and Thomas Campanella his Instructions to the King of Spain, De Monarchia Hisp. c. 25. but likewise to New-model, subvert, eradicate the whole Body of our \* municipal Laws, and wish them the great Charter of our Liberties is self. And in their last cashiered, unelected Convention, (as some of their Companions, now in greatest Power assure us, in their (f) True State of the Case of the Commonwealth of England, &c. London, 1654. p. 15, 16, 17, 18.) there was a strong prevailing party whom nothing would satisfy, but A Total Eradication of the whole body of the good old Laws of England (the Guardians of our Lives and Fortunes) to the utter subversion of civil Right and Propriety, who likewise took upon them (by virtue of a supposed right of Saintship in themselves) to lay the foundation of a new Platform, which was to go under the Name of A Fifth Monarchy, never to have an end, but To \* war with all other powers and break them to pieces, baptizing all their proselytes into this Principle and persuasion, that the Powers formerly in being, were branches of the (s) Fourth Monarchy (of England, Scotland, and Ireland) which must be rooted up and destroyed. And what other Fifth Monarchy this could be, but that projected universal Monarchy of the Jesuites, which would bring the whole Monarchy of Great Britain and Ireland, together with France, Spain, and all other Princes, States in Christendome under the Jesuites subjection, and break all other powers in pieces; (mentioned by Walsen, in his Quodlibets p. 306, to 333. and Alphonsus de Vargas, Relatio de Stratagematis & Sophismatis Politicis societatis Iesu, Ad Monarchiam orbis terrarum subconstituendam c. 8. &c.) or else, that Elective New Monarchy of Great Britain and Ireland, projected by (v) Campanella and Cardinal Richelieu, which some Grandees now endeavour by their Instrument to erect and perpetuate for ever (x) without alteration in themselves.



and their Successors, (though they thus expressly brand it in others;) let themselves, and wise men resolve, it being apparent, by the practices and proceedings of all the Propagators of this new Project, that this *Fifth Monarchy* they intend to erect, is neither the *Spiritual Kingdom of Jesus Christ in their own hearts*, mortifying their ambition, covetousness, pride, self-seeking, unrighteousness, violence, rapines, & other worldly lusts; nor the *personal reign of Christ himself alone*, in and over our 3 Kingdoms, and all other Nations for ever, \* *depriving all Temporal Kings and Princes of their Crowns, Rights, and Government over their Subjects*; which they falsely endeavour to evince from *Dan. 2. 44, 45, c. 7. 14, 27. Micah 4. 1, 2, 7. Luke 1. 32, 33. Rev. 20. 1. to 8. 1 Cor. 15. 24, 25. Heb. 12. 26, 27, 28.* but a meer supream, arbitrary, temporal Authority without Bounds or Limits, encroached by and erected in themselves and their confederates, without any colour of Right or Title by the Laws of God or the Realm, and no ways intended, but refused by all these sacred Scriptures, & others, which explain them. This design of the Jesuites, to alter and *subvert the whole body of our Laws*, was so far promoted by the *Jesuitical and Anabaptistical party* in this last Assembly, (elected only by the (1) *Army-Officers*,) that on Aug. 20. 1653. (as our News-books print,) they Ordered, there should be a Committee selected, to consider of a *New Body of the Law*, for the Government of this Commonwealth, who were to new-mould The whole Body of the Law: according to Parsons his mould. And hereupon our cheating Astrologers (especially Lilly & Culpeper, the (2) *Jesuites grand Factors* to cry down our Laws, *Tithes, Ministers*) from the meer visible earthly Conjunctions, Votes, Motions, Influences of these New wandering excentrick Planets at Westminster only, (not of any Celestial Stars, as they would make Country-Clowns believe, always moving and acting themselves by an unalterable Law from the very Creation until now, Gen. 1. 14. to 19. c. 8. 22. Psal. 104. 19. Plal. 136. 8. 9. Jer. 31. 35, 36. c. 33. 20, 21. Job 38. 32, 33. therefore no ways exciting men to alter Fundamental Laws and Governments here on earth) took upon them in their (a) *Monthly Prognostications* for this year 1654. *est accepisses. Claudius J. r. in Marth. (y) A True State, &c. p. 13. (z) See Tho: Campanella, de Monarch. Hisp. c. 23, 25, 27. (a) See their Almanacks in January, February, September, October, December, 1654.*

\* Luke 17. 21.  
Rom. 14. 17.  
2 Pet. 1. 11.  
Col. 1. 13.  
Heb. 12. 28.  
Rev. 12. 10.  
\* *Non abripit  
mortalia, qui  
Regna dat ce-  
lestia, Sedu-  
lius in hym-  
no airast: de  
vita Christi.  
Rex iste quina-  
tus est non ve-  
nit Reges pug-  
nando superare,  
sed moriendo  
mirabiliter sub-  
jugare. Venit  
enim non ut  
regnet vivus,  
sed ut trium-  
phet occisus;  
nec ut de aliis  
gentibus auxo  
exercitum qua-  
rat, sed pro  
salvanda Gen-  
tibus pretiosum  
sanguinem fun-  
dat. Hujus  
pueri regnum  
non est de hoc  
mundo, sed per  
ipsum regnabit  
in hoc mundo.  
Iste est enim  
Sapientia Dei,  
qua dicit in  
Proverbiis, Per  
me Reges reg-  
nant. Tu enim  
regnum nullas  
gentes habuisses,  
nisi ab isto puero  
qui nunc natus*

almost



(*See* Sixtus  
ab Hemminga  
Astrologia Re-  
futa 70. Frä-  
cus Officius de  
div. Astrologia  
facultate, in-  
lavora Astro-  
logiam. Corn.  
Scappius con-  
tra Astrologos.  
Alexandre de  
Angelo in As-  
tologos, Nie-  
rom Savanorola  
adversus Divi-  
natricem Astro-  
nomiam; & A-  
pologiens pro  
tractatu ejus  
adversus Astro-  
logos, 1581.  
Pichus Mandu-  
lia contra Astrol.  
Pinebas Pil-  
grimage, p. 12,  
13, 64. Mr. Gu-  
taker's vindica-  
tion of his An-  
notations on  
Jer. 10. 2. Lon-  
don, 1653. Six-  
tus Severus  
Bibl. sanct. p.  
56, 331, 424, 429.  
\* Accidere po-  
test, ut publice  
utilitatis simu-  
latione & specie  
IBGES a  
nonnullis &  
Civitates even-  
tanti. A. aff.  
Polie, 1. 2. c. 6.  
\* In his Victo-  
ry of Truth.  
1894.  
(c) Quodlibet  
An. 1. 1. 144.

almost in every Month to predict, the pulling down of the Laws of the Nation, and of Lawyers to the ground: the calling of the great Charter is self into question, with other Liberties, as not suiting with English mens brains at this time. The plucking up the Crabtree of the Law by the Roots, to hinder the future growing of it: there being no reason we should now be governed by the Norman Laws, since the Norman Race is taken away by the same Instrument (the Sword) that brought in in: and the like. But these Predicters of our Laws and Lawyers downfalls, could neither foresee nor predict the suddain downfal of these lawless earthly Westminster Planets from the Firmament of their new-created Power; who should effect it by their influences. Wherefore, though I look upon these and all other their Astrological predictions, as (b) meer Fictions, Cheats, and Impossibilities, in relation to the Celestial Planets, (as are their 12 Signs and Houses of the Heavens, whereon all or most of their lawless Art and Predictions are grounded;) Yet I cannot but take notice of them as clear Discoveries of a strange Jesuitical & Anabaptistical Combination of a predominant party amongst us, to carry on this ancient Plot of the Jesuites related by Wat-son, against the great Charter of our Liberties, and the whole body of our Laws. And truly, when I seriously consider the late great dangerous, destructive Revolutions, \* Changes both of our Government, Parliaments, Laws, and the manifold extra- vagant publick Innovations, changes, proceedings, originally contrived by the Jesuites, but visibly acted, avowed, by Ana- baptists, Independents, and some Pseudo- Presbyterians in the Army, and elsewhere, formerly reputed Puritans, and now so styled by \* Militiere; it puts me in mind of 3 memorable propheticall Passages of William Watson in his Quodlibets, printed 52 years since (An. 1602.) which I have frequently thought on of late years, as now experimentally accomplished; I shall beseech our late and present Grandees, and New State- Ment- Masters seriously to consider them; which I shall here relate in his very printed words.

I. (c) I make no question of it, if the Jesuits prevail in Eng- land, they intend, and will turn all things topsy-turvy, upside down: Cong shall up, Sixe shall under. In Parsons High Coun- sel of Reformation, All the whole State must be changed; and the Lands and Seignories of Clergy and Nobility, Univer- sities,

schools, Colleges, and what not, must be altered, abrogated, and taken away. And is not all this visibly effected already for the most part; and the rest projected, and ne'er accomplished?

2. (d) I verily think, that all the Puritans will join wholly with the Jesuites at length, (how far off soever they seem to be, and are yet in external profession of Religion) there being at least half an hundred Principles, and odd Tricks concerning Government, Authority, Tyranny, Popularity, Conspiracy, &c. which they jump as just together in, as if both were made of one mould. And is not this really verified (though not by the old loyal English Puritans) yet at least by sundry \* Puritan Anabaptists, Independents, some temporizing Presbyterians, and by many Army-Officers, Soldiers, (in late or present Power) if they will but compare their last six years actions with the Jesuites? which hath given great advantages to our Romish Adversaries to draw more Protestants to their Religion. O let them consider it seriously in the fear of God, and lament it with the greatest grief of heart!

(d) Quodlibet  
6. Art. 4. p. 169.  
see p. 27. 28.

\* See Militerie  
his V. Story of  
Truth, dedi-  
cated to the  
King of Great  
Britain, to in-  
vite him to  
embrace the  
Roman-Catho-  
lick Faith,  
1654.

3. (e) The Jesuites without all question, are more dangerous, pernicious and noysom, to the Commonwealth of England and Scotland, than the Puritans; as having more singular fine wits amongst them, and many learned men on their side; whereas the Puritans have none but Grossum Caputs: they many Gentiles, Nobles, & some Princes so side with them; the Puritans but few of the first; rare, to have any of the second; and none at all (unless it be one) of the last on their side. And so by consequent, It matters come to hearing, hammering and handling betwixt the Jesuites and Puritans; The latter are sure to be ridden like foals, and come to wrack. And whether they have not been ridden, outwitted, wracked by the Jesuits plots, wits, wiles, instruments both in their late Councils, Innovations of Government, forcible Dissolutions, subversions of Parliaments, Laws, Liberties, Anomalous Proceedings, Designs, let our late dis-houled, dismounted Puritan Grandees and Strangers of all sorts, (especially Presbyterians) determine at their leisure; and let those in present Power take heed, they be not ridden by them too like foals, as well as their Predecessors, yea, wracked by them at the last when they have served those turns for which they set them up on horse-back, for to ride to death our Kings, Parliaments, Kingdoms, and utterly consume, devour them, with our remaining Ministers Tithes, Glebes and

(e) Quodlibet  
2. Art. 1. p. 26,  
27.

Nota.

versity & College Lands by Monthly endless Taxes, Excises, &c a perpetual *Law, Tish-opugning, Parliament-dissolving Army*, in who e Councels, we have cause to fear, the *Jesuites* have been most predominant of late years, and will still make use of them to our final ruine, if not effectually purged out, and the *Army* new moulded, new principled, if any longer continued under pretext of publick safety, and not wholly disbanded for the peoples ease and Liberty.

(a) De Monarchia Hispanica c. 25. p. 204, &c.

It is worthy observation, that *Tho. Campanella* (a) prescribed the sowing, and continual nourishing of *Divisions, Dissensions, Discords, Sects and Schisms among us*, both in State and Church ( by the Machivilian Plots and Policies he suggests, punctually prosecuted among us of late years ) as the principal means to weaken, ruine both our Nation and Religion, and bring us under the Spanish and Popish yokes at last: witness his, *I AM VERO AD ENERVANDOS ANGLOS NIHIL TAM CONDUCIT QUAM DISSENTIO ET DISCORDIA INTER ILLOS EXCITATA PERPETUOQUE NUTRITA, Quod cito meliores occasiones suppeditabit*: and that principally, by instigating the Nobles and chief Men of the Parliament of England: *UT ANGLIAM IN FORMAM REIPUBLICÆ REDUCANT AD IMITATIONEM HOLLANÆORVM*: which our Republicans lately did by the power of the Army-Officers; or, by sowing the seeds of an inexplicable war, between England and Scotland; By making it an Elective Kingdom, ( as some now endeavour under another Notion ) or by setting up Other Kings of another Race, without Legal Rights, or just Title, against that ancient, unquestioned, undoubted Right and Title settled, established in King James and his Royal Posterity by Inherent Birthright, and lawfull right of Descent by God himself and his Laws, confirmed & strengthened by all possible Titles and Rights of compact, Laws, Statutes, Oaths, perpetual uncontradicted custome, Protestations, Covenants, the solemn Publick Faith and Engagement of our English Parliaments & Nation, for themselves, Their Heirs & Posterities for ever, as the Statutes of 1 Jacobi c. 1. 2, 3, 1 Jac. c. 1. 4, 7. 1 Jac. c. 6. which both houses of Parliament in their Declaration of Nov. 2. 1642. Exact Collect. p. 705 resolve. And that upon this suggestion to the People; *Crudelem fore SCOTIAM ubi semel Imperium in illos obstruxerit, tenentem alta*

\* See 25 H. 8. c. 22. 31 H. 8. c. 4. 37 H. 8. c. 17. 1 Eliz. 2. 3.

mente ropastum, quanta injuria Angli Scotos superioribus illis annis affecerint. Præterea suspicionem eis incutiat, fore ut Jacobus CÆDEM MATERNAM VINDICATURUS SIT, &c. Exasperandi sunt etiam animi Episcoporum (Presbyterorum) Anglicorum proponendo illis REGEM SCOTIÆ Calvinismum amplexum esse. SPE & CUPIDITATE REGNI, ADAC-TUMQUE VI, A BARONIBUS HÆRETICIS: quod si vero Regnum Angliæ etiam obtineat, TVM ILLVM CITO PRIOR-REM RELIGIONEM REVOCATURUM ESSE: quando- quidem non solum MARIA EJVS MATER moriens, verum etiam REX IPSE GALLIARVM SVMMOPORE EI RELI- GIONEM CATHOLICAM COMMENDARINT, &c. yet now transcribed almost verbatim out of \* Thomas Campanella, (who suggested it against King James to alienate the English from him, & keep him from the Crown) & very freshly by the Authors of, *The True State of the Case of the Commonwealth, &c.* p. 48, 49. objected against the present King of Scots and royal Issue, to deprive him and them from the Crown of Eng- land, and engage the whole English Nation against their Title, to vest it in some other Family in greatest power.) Or if these projects should fail, then by dividing us into many Kingdoms or Republicks, distinct one from another; and by sowing the seeds of Schisms, and making alterations and innovations in all Arts, Sciences, and our Religion. The old Plots of (b) Campanella, (c) Parsons, and late designs of (d) Cardinal Richelieu, of the Pope, Spaniard, Jesuites, to undo, subvert our Protestant Church- es, Kings, Kingdoms and Religion, as the marginal Authors irre- fragably evidence: yet all visibly set on foot, yes, openly pursu- ed, and in a great measure accomplished by some late, nay pre- sent Grandees and Army-Officers, who cry up themselves for our greatest Patrons, Preservers, Deliverers, and Anti-Jesuits, when they have rather been but the \* Jesuites, Popes, Spani- ards and other Forraign enemies instruments and factors, in all the late changes, new-models of our Government, Parliaments, & pretended reformations of our laws and Religion, through inad- vertency, circumvention, or self-ended respects, as many wise and godly men justly fear. For prevention whereof, I shall recommend to the whole Kingdoms serious consideration, the memorable Preamble of the Statute of 25 H. 8. c. 22. disco- vering the like Plots of the Pope and our Forraign Enemies to ruine us in former ages; and the principal remedy they pre-

*De Monarchia*  
Hist. c. 25.

(b) *De Monarchia*  
Hist. c. 25.

(c) Seen as of as  
Quodlibet p.  
286. to 332. A  
Dialogue be-  
tween a secular  
Priest and Lay  
Gentleman,  
printed at  
Rhemer, 1601.  
p. 93, 94, 95.

(d) Conte de  
Galeazzo Gual-  
do Priorato,  
Hist. part. 3.  
Venetiis 1648.  
p. 175, 176.

\* Et quidem  
quid refert an  
Mulieres (&  
Jesuitæ) præsit  
an hi qui præ-  
sunt mulieribus  
obedient?  
Arist. Polit.  
1. 2. c. 7.

scribed, to prevent them for the future, in these ensuing words. In their most humble wise shewen unto your Majesty, Your most humble and obedient Subjects the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled: that since it is the natural inclination of every man, gladly and willingly to provide for the surety both of his Title and Succession, although it touch his only private cause: We therefore, most righteous and dreadful Sovereign Lord, reckon our selves much more bounden, to beseech and instant your Highness, although we doubt not of your Princely heart and wisdom, mixed with a natural affection to the same, to foresee and provide for the perfect surety of both you and of your most lawful Succession and heirs, upon which dependeth all our joy & wealth, in whom also is mixed and knit, the only most true inheritance and title of this Realm, without any contradiction: Wherefore, we your said most humble and obedient Subjects in this present Parliament assembled, calling to our mind the great divisions, which in times past have been in this Realm, by reason of several Titles pretended to the Imperial Crown of the same; which sometimes, and for the most part, ensued by occasion of ambiguity and doubts, then not so perfectly declared, but that men might upon forward intents expound them to every mans sinister appetite and affection, after their sense, contrary to the right Legality of the Succession and Posterity of the lawfull Kings & Emperors of this Realm, whereof hath ensued great effusion & destruction of Mans blood, as well of a great number of the Nobles, as of other Subjects, and specially Inheritors in the same. And the greatest occasion hath been, because no perfect & substantial provision by law hath bin made within this realm it self, when doubts and questions have been moved, & proposed of the certainty & legality of the Succession & posterity of the Crown. By reason whereof, The Bishop of Rome, & See Apostolick, contrary to the great and inviolable grants of Jurisdictions By God immediately to Emperours, Kings & Princes in succession to their heirs, hath presumed in time past, to invest who should please them to inherit in other mens Kingdoms & Dominions; which thing, we your most humble Subjects, both Spiritual and Temporal, do most abhor & detest: And sometimes other foreign Princes and Potentates of sundry degree, minding rather dissension & discord to continue in the realm, to the utter desolation thereof, then charity, equity, or unity, have

Nota.

Nota.

Nota.



many times supposed wrong titles, whereby they might easily & easily aspire to the Superiority of the same, the continuance & sufferance whereof deeply considered & pondered, were too dangerous and perillous to be suffered any longer within this Realm, & too much contrary to the unity, peace and tranquillity of the same, being greatly reproachful and dishonourable to the whole Realm. In consideration whereof, your said most humble and obedient Subjects, the Nobles and Commons of this Realm, calling further to their remembrance, that the good, unity, peace, and wealth of this Realm, and the succession of the Subjects of the same, (most specially & principally above all worldly things, *Nota.*) consisteth and resteth in the certainty and surety of the preservation, & posterity of your Highness, in whose most royal person at this present time, is no manner of doubt or question, Do therefore most humbly beseech your Highness, &c. to declare the establishment of the succession of your royal posterity in the Imperial Crowns of this realm: as he and they did by this & other succeeding acts of Parl. & in 1 Eliz. c. 3. & 1 Jac. c. 1. to prevent the like civil wars and mischiefs for succeeding ages, now revived, promoted by the Pope, Jesuits, & Foraign Popish Princes to work our ruine.

Certainly, whosoever shall seriously ponder the premises, with these passages in *William Watsons Quodlibets* concerning the Jesuits, (e) 1. That some (e) *Quodlib. 3* of the Jesuits society have insinuated themselves into all the Princes Courts of *Christendom*, where some of their intelligencers reside, and set up a secrete counsel, of purpose to receive and give intelligence to their General at Rome, of the secrets of their Sovereigns, and of all occurrents in those parts of the world, which they dispatch to and fro by such cyphers, which are to themselves best, but commonly only to themselves known, so that nothing is done in Eng-

land, but it is known at Rome within a month after at least, & *Nota* reply made back as occasion is offered, to the consequent over-

throw of their own natural Country of England, and their native Princes and Realms, by their unnatural Treasons against them; that so the Jesuits might be those long gowns, which should reign and govern the Island of Great Britain. To which I shall add that of Rob: Turner an English Jesuit, in his Epistles printed at Ingolstadt, An. 1584. Ep. 19. *Volui irrepere, volui irrumper in intimas Aulas Principum, volui videre omnia, ut ad justitiam novam praeclare egerem. Vix capere obire Principum Aulas, cum viderim Haereticum illum Mundum ADMINISTRARI A STULTIS, &c.* with that of Hoppinier, *Historia Jesuitica* l. 3. p. 148. That the Jesuits are so subtil, vigilant, bold, laborious, and indeed with such a faculty of flattery, insinuation, acting and bawling in Princes Courts, that they exactly discover, know, and fish out all their secrets, (which they reveal to their Superiors, the Pope and Spaniard) and alone rule all things in them: so that the Courts of Europe are more grievously infested & afflicted by the Jesuites, than

the Court of Pharaoh was of old by the Egyptian Frogs. And may we not (f) *Quodlibets* then justly fear our new Court hath been as much pestered and infested by them of late years, as our old Court heretofore? *p. 39. 209, 233, 234, 305, 309,*

(f) That the Jesuites hope and endeavour to have England, Scotland *307, 309.*



To the truly Christian Reader,

and Ireland under them, to make these Northern Islands a Japonian Island of Jesuites, and one Jesuitical Monarchy; and to infect themselves by hook or by crook in the whole Imperial Dominions of great Britain with the remainder over to their Corporation; or puni Fathers succeeding them, as they specially, in their society, by a state of perpetuity: Putting all the whole Blood Royal of England to the Formidon, As but theirs general in one Predicament together, as now they have done.

(g) Quodlibets

p. 11, 12, 14,

16, 17, 42, 45,

50, 283, 285,

&c, 332, 333.

A Dialogue

between a se-

cular Priest &

a Lay Gentle-

man, An. 1601.

(b) Quodlibets

p. 295 to 313

61, 286, 287,

See the Right

& Jurisdiction

of the Prelate

and Prince, by

J. E. 1617

\*See I. E. his

Treatise of the

Right and Ju-

risdiction of

the Prelate &

Prince, prin-

ted 1616. &

re-printed

1621, by the

Jesuits.

(f) Quodlibets

p. 26.

(h) Quodlibets

p. 62, 69, and

elsewhere,

3. (g) That the jesuites have Magistracy, Kings, Magistrates, Ministers, Priesthood, and Priests in high contempt; publishing many slanderous, seditious, traitorous, and infamous speeches, libels, and books against them, to render them odious and contemptible to the People; full of Plots, exasperations against the Church and Commonwealth, like rebellious Traytors, to bring all in to an uproar, that they may have all Countries, Kingdoms, Governments, Successions, States, Inhabitants, and all at their pleasure.

4. That the (h) Jesuites have taught the people (in order to get England under their power, and in order to God or Religion, as they stile it,) That Subjests are bound no longer to obey wicked or heretical Princes and Kings deserting from the Catholick Religion, and drawing others with them, but till they be able by force of arms to resist and depose them. That the popular multitude may upon these grounds, when they think meet, place and displace their Princes and chief Officers at their pleasure, as men may do their Tenants at will, hivelings, or ordinary Servants, putting no difference in their choice Upon any Right or Title to Crowns or Kingdome, by Birth or Blood or otherwise, then as these Fathers (forsooth)

shall approve it, By this all things must be wrought and framed, conformable to opportunities of times and occasions; as for example: The people must have a right and interest in them, and to doe what they list in choice of their Kings and Supream Governours, til they have set such a person or usurper in the Crown, as they for their ends have designed; and then the times and occasions changing, when such a one is seited in the Throne, the former doctrine and practise must be holden FOR A MISTAKING; yet such, as seeing it cannot be holpen, the people must beware hereafter of attempting the like again. By this a check must be given to the publishers of such paradoxes; (when they have accomplished their designed ends,) after that a dispensation procured for the Offenders, and then all shall be well ever after, till a new opportunity for their further advantage.

5. That the (i) Jesuits by absurd equivocations, counterfeited perjuries, Sacrileges, and consenage, become all things to all men, that they may gain all; as to be Seminary Priests amongst Seminaries; Secular Priests, among Seculars; Religious men, among Religious; Seditious men among Seditious; Factions Spaniards amongst Spaniards; ENGLISH TRAYTORS AMONG TRAYTORS; SCOTISH VILAINS, AMONG SCOTS, &c. and amongst all these, to deny and affirm, to object and answer, to swear and forswear; whatsoever may be a gain to them; for their pragmatrical Commonwealth and society. No wonder then, if they transform themselves into all shapes, and take upon them all professions now amongst us.

6. That the (k) Jesuits by their devices and practises, have brought all to Machiavells rule, DIVIDE ET IMPERA, in sowing division, breeding of jealousies, and making of hostile strife, by opposition of King against King, State against State, Priest against Priest, Peer against Peer, Parents against children

children, children against parents, sisters against brothers, servants against masters, wives against husbands, husbands against wives, and one friend against another, raising up rebellions, MVRDRING OF PRINCES, making uproars every where, until they make those they cannot otherwise winne unto them, either yield to be their vassals to live quiet by them, or force them to flight, or drive them out of their wits, or otherwise place them to death.

7. That the (I) Jesuits by their cursed positions, and machiavillian practises, have made religion itself a meer political and arthical device; a pragmatical science of Figboys, and but an art of such as live by their wits, and the principles of Machiavel taught by their Rabble; yea, a very botch patch of omnium gatherum, religious, secular, clerigical, laical, ecclesiastical, spiriual, temporal, MARTIAL, civil, Accononical, political, liberal, mechanical, municipal, irregular, and ALL WITHOUT ORDER; so that they are not worthy to be called religious, ecclesiasticks, catholicks, nor temporal mechanical-Christians; but rather Machiavillians, Atheists, Apostates; their course of life showing what their study is, and that howsoever they boast of their perfections, holiness, meditations and exercises, (as if they were all Superlatives, all Metaphysicians, all entia transcendencia) yet their platform is heathenish, tyrannical, sathanical, able to set Aretine, Lucian, Machiavel, yea, and Don Lucifer, in a fort to school.

(I) Quodlibets  
P. 43, 61, 62,  
64, 16.

Those, I say, who shall sadly ponder all these premises, and compare them with the late practises, policies and proceedings of some swaying politicians of our age (infected likewise with this Atheistical *Stato Maximo*, amongst others derived from the Jesuits, and Machiavillian Spanish State-Counsellors:) *In Reipublica administratio, quaedam LICITA ESSE RATIONE STATVS, alia respectu Consuetudinis;* which \* Thomas Campanella (as bad as he is) not only severely censures, but thus declaims against with highest detestation, *Qua opinione profecto NIHIL MAGIS ABSYRDVM AVT IMPIVM no excogitari quidem potest: Nam qui conscientia universalem suam jurisdictionem in omnes res humanas TAM PVBLICAS QVAM PRIVATAS,*

De Monarchia Hisp. c. 32.  
p. 297, 298.

H

subtrahit,

*subtrahit, offendit, SE NEC CONSCIENTIAM, NEC DE-  
VM HABERE, &c. Siquidem omnia scandala Ecclesia Dei,  
& PERTVRBATIONES ORBIS TERRARVM, INDE  
ORTA SVNT: that men may do against all Laws of God  
and Man, their own Consciences, Trusts, Oaths, out of a  
pretext of the benefit, safety of the State, & publick good, as  
most now do; Or, compare thẽ with the constitution of our  
Church, State, Religion, publick affairs, must needs acknow-  
ledg, that these pragmatikall Iesuits have bin very active, pre-  
valent, powerful, successful, and not only militant but tri-  
umphant, of late years amongst us, under some disguise or  
other: that they have dangerously poysoned us with these  
their Machiavillian and Atheall policies, practises, positions,  
and have more real Disciples, Factors, if not Tutors, now a-  
mongst us, then in any former ages: And is it not high time  
then to endeavour to detect their persons, and prevent their  
dangerous designs upon us, with greatest care and diligence?  
Truly though most others be negligent and fearfull here-  
in, yet that text of Ezek. 2. 6, 7. And thou son of man, be  
not afraid of them, neither be afraid of their words, though  
bryars and thorns be with thee, and thou shalt dwell among  
scorpions, be not afraid of their words, nor be dismayed at their  
looks, though they be a rebellious house. And thou shalt speak  
my words unto them, whether they will hear, or whether they  
will forbear, for they are most REBELLIOUS; hath anima-  
ted me to exonerate my conscience herein, and to say  
with the prophet, Isai. 62. 1. For Zions (Englands) sake  
I will not hold my peace, and for Ierusalem sake I will not  
rest, until the righteousness thereof go forth as brightness,  
and the salvation thereof as a Lamp that burneth. Wherefore,*

Upon serious consideration of all these Premises, and of  
all those Sacred Solemn Oaths, that Protestation, Vow, League,  
and National Covenant, which I have formerly taken (lying  
still as so many) (f) indissoluble Obligations on my Soul,  
notwithstanding the ingrate, malicious, unchristian Requ-  
itals of all my former unmercenary services, Sufferings for Re-  
ligion, Laws, Liberties, and the publick, in times of greatest  
Danger, recompenced only with long causeless, close impris-  
on-

(f.) Ioh. 9.  
19, 20. & Psal.  
89. 34. Psal.  
15. 4. Heb. 6.  
27, 18.

summons, injuries, affronts, losses of all kinds, by pretended friends and patrons of our Liberties; as well as by professed confederate Enemies. And notwithstanding all other discouragements from the general baseness, cowardice, Sortisism, slavishness, degenerated Spirits of the whole Nation, and their strange fearfulness even publicly to own, much less cordially, to assist, defend, (according to the sixth Article of the Covenant) those few convagious Patrons who have hazarded their Lives, Liberties, Limbs, Estates, and all earthly comforts for the publique defence of our Religion, the Laws, Liberties, Privileges of our Kingdom, Church, Parliament, against the old and late avowed subverters of them, whose very (g) Company, visits the generality of their former friends and acquaintance have declined, (as if they had some plague spots on them;) not only during their late restraints, but likewise since their enlargements out of them, (enough to persuade them never to write, speak, act, or suffer any thing more, for such ingrate, unworthy Creatures, but rather to put their helping hands, to make them and their Posterity slaves for ever.) I have yet once more, out of pure zeal, love, conscience towards my native Country, adventured my life, liberty, and decayed estate, (considering the lawlessness and Danger of the times, not the justice and goodness of the Common Cause, I plead) for the necessary defence of the Fundamental Liberties, Franchises, Laws, Rights, Parliaments, Privileges, and Government of our enslaved Nation, (though every way \* unworthy to be beloved by God, or men of noble spirits) in this Seasonable, Legal, Historical Vindication and Collection; wherein I have with all boldness, faithfulness, without the least fear or flattery of any Mortals or created powers whatsoever, argued, evinced, maintained my own particular, with the whole Nations public right and inheritance in them, (of which few or none take any care, but only of their own private gains, ease, safety, though with the <sup>†</sup> Public ruin) and endeavoured (as much as in me lies) to preserve

(g) When our Saviour himself was apprehended, carried away prisoner, and like to be crucified, all his Disciples forsook him, and fled, and Peter denied him, with an oath, Mat. 26. 56. 70. to 75. And at Paul's first appearance before Nero, no man stood with him, but all men forsook him, I pray God it be not laid to their charge, 2 Tim. 4. 9. 16. And so it is now with most publick sufferers,

\* Zeph. 2. 1. <sup>†</sup> unusquisque majorem temporis sui partem in rebus privatis curandis ponit, & Rempublicam nihil detrimenti ex hac sua negligentia capere posse putat, sed aliquam alium esse existimat qui Rempublicam curet, eiq. pro seipso

perspicitur. Itaq. ex eorum omnium privatorum opinione universam Rempublicam periri, non a nimio solent. Thucydides H. 2. l. 1. pag. 110.

them and our Religion from the several Jesuitical plots, counsels, specified in the whole Commons House Remembrance of 15 December 1641. *Exact Collection*, p. 3. to 14. of late years revived, and more vigorously pursued than ever, and to rescue them out of the Claws of Tyranny, and all usurping arbitrary powers, which have avowedly encroached on, yea trampled them under feet of late more than ever the worst of all our Monarchs, or beheaded King did, though declaimed against, as the greatest of Tyrants by some who have transcended him in his worst Regal Exorbitances; and particularly in this, which the Lords and Commons in Parliament, in their Declaration of Aug. 4. 1642. thus grievously complained of, and objected against the Kings ill Counsellors, 'That the LAWS, were no protection or defence of any mans right, all was subject to will and power, which imposed WHAT PAYMENTS THEY THOUGHT FIT, to drain the Subjects purses, and supply THOSE NECESSITIES, which their ill counsel had brought upon the King, and gratify such as were instrumental in promoting most ILLEGAL and OPPRESSIVE COURSES. Those who yielded and complied were countenanced and advanced, all others disgraced and kept under, (and are they not so now, as much as then) that so their minds made poor and base, (as they were never so poor and base as now) and THEIR LIBERTIES lost and gone (as they were never so much as now) they might be ready to LET GO THEIR RELIGION whensoever it should be resolved to alter it, which was, and still is, the GREAT DESIGN, and all the rest made use of as instrumental and subservient to it. Upon which consideration they thus concluded that Declaration, 'Therefore we the Lords and Commons are resolved, to expose our lives and fortunes for the defence and maintenance of the true Religion, the Kings person, honor and estate, the power and privilege of Parliament, the just rights and liberty of the Subject, And we do hereby require all those who have any sence of piety, honor or compassion, To HELP A DISTRESS'D STATE, especially SUCH WHO HAVE

\* *Exact Coll.*  
p. 492. 497.  
494.

\* Are they not  
now more  
ready to let it  
go, than e-  
ver? & have  
not thousands  
done it?



and all Zealous Protestant Free-men of England.

**HAVE TAKEN THE PROTESTATION**, and are bound in the same duty with us unto their God, their King and Country, to come in to their aid and assistance.

That which hath not a little encouraged me hereunto, is not only this their publick call, but likewise this memorable passage, now, *protestation of the Lords and Commons assembled in Parliament*, in their printed (b) Declaration in answer to his Majesties of October 23. 1642. Which I fear most of them since in power have quite forgotten; and therefore I beseech them now seriously to remember it. *Though we know very well, there are too many of the Gentry of this Kingdom, who to satisfy the EVILS OF THEIR OWN AMBITION, are content, like Esau, TO SELL THEIR BIRTH-RIGHT, AND CARE NOT TO SUBMIT THEMSELVES TO ANY ARBITRARY AND UNLIMITED GOVERNMENT, but they may FOR THEIR OWN TIME PARTAKE OF THAT POWER, to trample and insult over others.* ( And have not, are not some of these declayers and censurers such themselves? ) yet we are assured, that there are of the Gentry many worthy and true-hearted Patriots, (but where are those many now? ) who are ready to lay down their lives and fortunes, and of late have given ample testimony thereof, for maintenance of their Lawes, Liberties, and Religion; and with them and others of their resolution we shall be ready to live and die. ( But how many of these Declayers have made good this publick engagement? yea, have not some of them been, and still are more ready to secure, seclude, disaffice, imprison, kill, than any such true-hearted Patriots, as I have felt by sad experience, than to live and die with them? ) And we must own it as our duty, to use our best endeavors, that the meanest of the Commonalty may enjoy their own Birth-rights, Freedom and Liberty of the Lawes of the Land, being equally intitled thereto with the greatest Subject. I trust therefore the greatest Grandees in late or present power, new or will nor can be offended with me, and that all the Nobility, Gentry, Commons, and true-hearted Pa-

(b) Exact col.  
p. 650, 659.  
660.

Nota.

Nota.



trons in the Nation, who bear any love to the Law, Liberty, Freedom of the people, for which their Ancestors and they have so long, so stoutly contended heretofore, and lately with our Kings; will live and die with me in this their Vindication and Defence, against any of their fellow-Subjects, who shall endeavor to subvert or deprive them of the full and free enjoyment of all or any of them, according to this Engagement and Declaration: Wherein there are those further observable passages, relating to the Parliaments privilege and its Members, which I desire our Army-Grandees, who impeached, secured, secluded myself with other Members of the last true Parliament, levied war against and forcibly dissolved it; with the Contrivers of our late New-Modelled Governments, would seriously ponder; who in common justice must be content to be as freely told of and reprehended for their *frandi, sancti* in print (where the publick and every mans private interest, Right, liberty, security, is concerned) as they have censured others, as well their Superiors, as Equals, oft in print, though perchance less peccant than themselves (i) in that they object against them. (k) For the matter of his Majesties raising an Army against the Parliament, (wherein many Papists, Priests, Jesuits were employed) and taking away the privilege thereof, we shall refer it to the judgement of every persons capacity, whether it be void of sense to say, that this War is raised against the Parliament: But the truth is, that it is not a few persons, but the Parliament it self, in the person that lies in the same man's sides, which, heretofore when it was first so tried above, was with much ease (by a sudden dissolution) pulled out: But now that is more deeply fastned by the Act of Continuance, they would force it out by the power of an Army. (Hath not this been the very practise of some Army-Grandees of late, here objected against the King James the first and his Counsellors?) And whose over will peruse the several Speeches and Declarations, made upon the breaking up of former Parliaments, since the beginning of his Majesties Reign, will find, the pretences of those unjust and illegal Dissolutions, to be grounded upon the exceptions

\* *Fraudes promodū omnes atq. Injurie et Ambitione et Avaritia profisciscuntur.* Arist. Polit. l. 2. c. 7.

(i) See the Armies old & new Declarations against the Parliam. & Members. Their True State of the Commonwealth &c. which, *mutato nomine*, is but a direct Arraignment of themselves under the name of others.

(k) See vol. P. 652. 654. 655, &c.

and all Zealous Protestant Freemen of England.

exceptions against some particular Members under the name of a few factious and seditious persons, for that the aspersing and wounding of the Parliament through the sides of a few Members, is no new invention: (And hath not this been the very Army-Officers practise, since the first year of their reign till now, to wound the last real Parliament, yea, their own late dissolved *Mock Parliaments* since, through the sides of a few corrupt Members, or a corrupt Majority in the House, as all their Printed (1) Declarations upon their dissolutions attest. And is this then no crime? or no Jesuitical practise in them, though such in the late (2) King and his ill Counsellors?) And for the satisfaction of all indifferent men, that this War is raised against this Parliament, we shall refer them to former Declarations, issued in His Majesties name, being so many invectives and groundless accusations, not against particular Members only, but against the Vote and proceedings of both Houses: (And are not many of the Armes Declarations in 1647, and 1648, yea, the late Pamphlet of some present Grandees, intitled, *A True State of the Case of the Commonwealth of England*, Printed 1654, Such? let them now then see whence they took their pattern, even from the beheaded Kings (3) Jesuited evil Counsellors, whose steps they exactly trace in this.) But if the truth were, in this Declaration seems to imply, That this Army is raised to force some particular Members of this Parliament to be delivered up, yet upon that ground would it follow, that the same is levied against the Parliament. For it cannot be denied by any ingenious man, but that the Parliament by their (4) inherent rights and priviledges hath the power to judge and punish their own Members: [yet the Army Officers took upon them to secure, seclude them without Charge, and their future New-minted *Parliament Members*, though only elected by the People, must be tried, judged by the *Whitshall Members*, ere they can be admitted to sit, Article 21 of the *New Government*.] And we have often declared to His Majestie and the World, That we are alwayes ready to receive any evidence or accusations against

(1) See their declarations in *Mays, June, July, Aug. 1647* in *Novemb.* Decemb. Jan. 1648. An.

1652, & 1653. & their True State of the case of the Commonwealth of England, &c. p. 4. to 35. Ann. 1654. with some other Papers & Speeches since.

(2) Exact collect. p. 3, 4. to 16. (3) Exact col. p. 3, 4. to 16. 651, 652, 653. Nota.

(4) If one Member suffers, all the Members suffer with it, 1 Cor. 12. 26.

(5) See Cooks 4 Instit. c. 1. p. 15, 16, 17. 23. 24, 25, and my Plea for the Lords.

(q) Nor yet  
against my  
self, and o-  
ther secured  
secluded and  
long impriso-  
ned Members.

against any of them, and to judge and punish them ac-  
cording to their demerits; yet hitherto (q) no evidence pro-  
duced, no Accuser appearing: And yet notwithstanding,  
to raise an Army to compel the Parliament to expose those  
Members to the fury of those wicked Counsellors, that  
thirst for nothing more than the ruine of them and the  
Commonwealth: What can be more evident, than that  
the same is levied against the Parliament? For did they  
prevail in this, then by the same reason (pray observe it)  
They might demand so more, and never rest satisfied  
until their malice and Tyranny did devour all those Mem-  
bers they found crosse and opposite to their lewd and  
wicked designs [And was not this the practice of the  
Army-Officers, who levied a real actual War against the  
Parliament? They first impeached, secluded 21 Members  
of the Commons House, and some Lords soon after. An.  
1647, then they secluded other Members, by their high  
Declaration of Aug. 18. 1647. after that they secured, im-  
prisoned my self, with 41 Members more, and secluded  
the greatest part of the Commons House, leaving not above  
50 or 60 at first sitting, who confederated with them, in  
December 1648. within two moneths after this, they be-  
headed the King: then suppressed the whole Lords House,  
to carry on their designs since acted: At last they dissolved  
their own Mock Parliaments, when they crossed their am-  
bitious aspires: What they did in September last since this  
was first penned to those now sitting, is fresh in memory.]  
Touching the Privileges of Parliament; which the contri-  
vers of that Declaration in his Majesties name, (and the  
Contrivers of sundry Declarations since in the Armys  
name, who imitate them herein.) seem to be so tender of,  
and to professe all conformity unto, and deny this Army  
to be raised in any degree to violate: we shall appeal  
to the judgement of any indifferent man, how little truth  
is contained in this their assertion, (or in the Army-Offi-  
cers printed Papers to the same effect.)

\* See that of  
June 14. of  
Aug. 2 & 18.  
1647, and  
the Letters of  
July 29. 1647.  
The Decla-  
rations of  
Nov. 16. Dec.  
6. 1648.

The Parliament is to be considered in three severall  
respects: First, As a Councell to advise. Secondly, As a  
Court

Count to judge. 3. As it is the body representative of the whole Kingdom, to make, repeal, or alter Laws: and whether the Parliament hath enjoyed its privileges in any of these respects (under the Army-Officers and powers, as well as late King) let any that hath eyes open judge.

For the first, We dare appeal even to the Consciences of the Contrivers themselves, (and to the consciences of the Army-Officers, Souldiers, and Whitehall men themselves) whether matters of the highest importance, (witness all the publick proceedings against the late Parliament, King, Peers, Government; the Wars with Scotland, Holland: their new *Magna Charta*, repealing the old, Entitled, *The Government of the Commonwealth of England, Scotland and Ireland*, wherein they take upon them such an Omnipotent Sovereign power, as, To pass a decree upon the wavering humors of the people, and to say to this Nation, (yea to Scotland and Ireland too,) As the Almighty himself said once to the unruly Sea, \* *Here shall be thy bounds, hither shalt thou come and no further*; as some of them most arrogantly, if not blasphemously publish in print to all the world in their *True State of the Case of the Commonwealth*, p. 34. Their making of new binding Laws and Ordinances, repealing old Laws and Statutes in and by pretext of this Instrument, out of Parliament, as their manifold *Whitehall Folio* new Edicts, amounting to near 700 pages, attest) have not been agitated and discerned (in and by the Army-Officers, General Council, and other unparliamentary Junctō's,) *not only without*, but contrary to their Advice, (and Votes too;) and whether private unknown Councils (in the Army, *Whitehall*, and elsewhere, yea the private Councils, Plots, conspiracies of Jesuits, of Foreign Popish and Spanish Agents) have not been hearkned unto, approved and followed; when the Faithful and wholesome advice of the great Council hath been scorned & neglected (by the Army Officers and their Confederates.) And yet none condemn; but it is one of the Principle ends why a Parliament is called, To Consult the great Affairs of the Church and State. And what miserable effects and sad events, this neglect

\* Job 38. 11.

left of the great Council, and preferring of unknown and private Councils before it, hath produced; let the present Distractions of this Kingdom bear witnesse, (with all the bloody, unchristian Wars, Taxes, Oppressions, Distractions, since the Armies force upon the King, Members, Houses, Anno 1647. and 1648. to this present time.)

Concerning the Second, it sufficiently appears by the making the Kings Courts, by the Force and Power of the Kings Army; the Sanctuary and refuge of All sorts of Delinquents against the Parliament and Kingdom, and protecting and defending them from the Justice thereof: and by admitting such to bear places of great trust in the Army, and so stand in defiance of the Parliament and the Authority thereof; (and is it not a far greater crime to make the Parliaments Army it self, a Delinquent against the Parliament and Kingdom; the sanctuary of such Delinquents against both, and to continue such Officers in places of greatest trust in the Army, who have levied actual war against the Parliament, secluded, secured members of Parliament, kept divers years under their armed guards in defiance of the Parliament, without any particular Charge or Impeachment, refusing to release them, even when the Serjeant was sent at first from the House it self, to demand the Members seized?)

By all which it is apparent, how our Priviledges have been torn from us by piece-meals, from time to time. And we might mention many passages, whereby they were endeavoured to be pulled up by the root, and totally subverted. As the attempt to bring up the late Army from the North to force Conditions upon the Parliament: His Majesties Letters and Commands to the Members of both Houses (which found obedience in a great many) to attend him at York; and so, By depriving the Parliament of their Members, destroy the whole Body: (And was not the actual twice bringing up of the Parliaments own Army, by the Army Officers, against the Parliament it self, to impeach, secure some principal Members of both Houses; seclude the Majority of the Commons House, suppress the whole House of Lords; break off the Treaty, behold the King,

\* And are they not so now, almost past hopes of any future re-planting?

(the \* Head of the Parliament) against the Parliaments Votes, after the Government, force conditions on the Parliament it self, to omit the 12, 21, 24, 32, 37, 38, 39 Articles of their New Government, with the secluding of all the Members lately admitted by Armed Souldiers, till they took a New Engagement, and keeping out all others) a taking of the Privileges of the Parliament from them all by whole sale, and a more desperate pulling up by the Roots, and total subversion of all the Priviledges and whole Body of the Parliament, than this objected against the Northern Army, or the Kings Jesuitical ill Council ?) Which is enough to prove the vanity of the Contrivers of that Declaration (and of the Army Officers too) to feed themselves with hope of belief, That the Priviledges of Parliament are not Violated, but intended to be preserved, with all due observance.

\* *Modus tenendi Parliamentum.* Cook 4. Instit. c. 1.

Concerning the Allegation, That the Army raised by the Parliament, is to murder the KING, (oft Alleged by the \* King and his Party, in many printed PROCLAMATIONS, Declarations before and after this here mentioned) We hoped the Contrivers of that Declaration, or any that professed but the name of a Christian, could not have so little charity as to raise such a SCANDAL, especially when they must needs know, the \* Protestation taken by every Member of both Houses (and Army Officers too) whereby they promise in the presence of Almighty God, TO DEFEND HIS MAJESTIES PERSON. \* The Promise and Protestation made by the Members of both Houses upon the nomination of the Earl of Essex to be General, and to live and die with him; wherein is expressed, THAT THIS ARMY WAS RAISED FOR DEFENCE OF THE KINGS PERSON. \* Our oft, earnest, and most humble Address to his Majesty to leave that desperate and dangerous Army, &c. A request inconsistent with any purpose to offer the least violence to His Person, which hath, and ever shall be dear unto us.

\* *Exact Coll.* p. 550. 595. 321, 322, 364. 618. 894, 895. 919, 920. A Collection of Ordinances, p. 28 39. 116. 117.

\* Let those who took it, remember their violations of it, & repent. See *Exact Coll.* p. 497, 498.

And concerning the Imputation laid to our Charge, of Raising this Army, to Alter the whole Frame of Government and Established Laws of the Land, (which the King

\* Was this verified by many of these Remonstrants?



\* Exact Coll. P. 262. 282. 284. 10 289. 297, 298. 490. 424. 500, 502. 404, 514, 517. 521, 522, 526. 528, 530, 531. 534. 550, 551. 554, 558, 561. 564, 574. A Collection, P. 117. 452, 453. and his party \* *fragmentsly* objected in print ) we shall need give no other Answer but this : That the Army Raised by the Parliament is to no other end, but for the Preservation of his Majesties Person, to Defend themselves, the Laws of the Land, and the true Protestant Religion. After which, they there and elsewhere conclude. \* And by this time ( we doubt not ) but every man doth plainly discern through the Mask and Visard of their Hypocrisie, what their ( the Kings ill Counsels ) design is, To Subject both King and Parliament and Kingdom to their needy, Ambitious, and Avaritious Spirits, and to the violent Laws, Martial law, of Governing the People by guards and by the Souldiers.

But alas for grief, how superlatively have many of the Army Officers, and their confederate members ( though parties to these Declarations and Provisions ) violated them, and both Houses Faiths, Trusts, intentions, ends in raising the Army, in every of these particulars ? How have they verified, justified the Kings Declarations, Jealousies, concerning the Parliaments Army, in every point, here ( and \* elsewhere ) disclaimed by both Houses ? How have they exceeded, out-acted the Kings Jesuitical Counsellors, and most desperate Popish Army, in violating, subverting both the Parliaments Priviledges, Members and Parliaments themselves, together with our \* Fundamental Laws, Liberties, Government ; for whose preservation they were only raised, paid ? How have they pursued the Kings and his worst Jesuited Counsellors footsteps in all the charges here objected against them by both Houses, in relation to the Parliaments priviledges, Members, Constitution, Rights, Laws, to their utter subversion, dissolution, and waged war against them ? And doth not every man plainly discern through the Mask and Visard of their Hypocrisie, ( to use both Houses expressions ) that their design is just the same with that here objected by the Parliament to the Kings ill Jesuited Counsellors, and Popish army, even to subject both King, Parliament and Kingdom, to their needy, ambitious, avaritious spirits, and to the violent Laws, martial Law, of Governing the

\* Exact Coll. P. 688, 689. 696, 697.

\* So styled, Exact Col. P. 4. 12. 34. 61. 143. 262. 321. 500, 502. in the Decl. of the Lords & Commons concerning His Majesties Proclamation, June 6. 1642. P. 4. besides the authorities in the 1. chap.

the People, (yea Parliaments themselves) by Guards, and by the Soldiers? and 'By Conquest to establish an absolute and unlimited power over the Parliament and good Subjects of this Kingdom; as the Houses \* elsewhere thrice objected against the late King, his Army and party: being the very design (as many wisemen fear) of the 27 Article of their *New Government*; to settle a 'constant Annual revenue for the maintenance of 10000 Foot, & 10000 Horse and Dragoones, (to be alwayes constantly kept up Winter and Summer, without disbanding or diminution) for the Defence and Security of *England, Scotland, and Ireland*; Which must henceforth be kept under by *Mercenary Forces*, to guard of Protestors, when as the \* *Heathen Poet* assures us, *Integer vita sociusq; parus, non eget Mauri jaculis nec arcu*; much less our *English Nation*, ever formerly secured by their own *unmercenary Militia* of the *Trained Bands*, and those Lords and Gentlemen who hold their Lands by *Knight-service*. O that they would now in the name and fear of God (as they tender the eternal salvation of their Soul, the honour and priviledges of all future Parliaments, the ease, welfare, settlement of our Nation) lay all this most seriously to their Hearts, and make it a matter of their *greatest lamentation*, and repentance! Besides this, have they not falsified that memorable \* late Declaration of the Lords and Commons assembled in Parliament, *Novemb. 2. 1642* in Answer to his *Majesties* (well worthy perusal now) and made good (both for the time past, and all succeeding Parliaments, whiles there shall be any standing Army in *England* able to over-power them) all the *edious, scandalous positions*, in relation to the *English Parliament*, its Members and priviledges (deduced from the *Kings Declaration*, only by inference, but disclaimed by the King) summed up by them, in the close of that *Remonstrance*, and published in these ensuing terms, as will evidently appear, if applied to the *Army*, and their *Generall Council of Officers*, by adding or exchanging their names, only for the *Kings* in a parenthesis?

led T

\* Exat. Coll. p. 617. 631.

730.

\* Horat.

\* Exat. Col. p. 686. to 730.

1. \* That

\* Exact coll.  
P. 729.

See their De-  
clarations &  
Papers of Aug.  
7. 1647. Dec. 7.  
& Jan. 7. 1648.  
where they  
thus Declare  
and brand  
them.

\* Quod pluri-  
bus visum pro-  
batumque fue-  
rit, id in OM-  
NIBUS RE-  
BUS-PUB-  
LICIS VA-  
LET. In O-  
ligarchia enim  
& Aristocratia,  
& Democratia,  
quod eorum  
qui Rempubli-  
cam gerunt,  
MAJORI  
PARTIS  
PLACUE-  
RIT, i. e. RA-  
TUM AC  
FIRMUM.

Politicorum 1.  
4. c. 8. Sec  
33 H. 8. c.  
27.

\* Which now  
they do.

1. \* That the King (the \* Army, General, and their Gene-  
ral Council of Officers) when he pleaseth, may declare  
the Major part of both Houses, (which in all sorts of Re-  
publicke doth, yea ought of right to overweigh the Minority, &  
their Votes to be firm and binding to all men, as \* Aristotle  
himself resolves;) a fallion of Malignant, Schismatical, and  
ambitious Persons: so that all Parliaments that have been  
heretofore and SHALL BE HEREAFTER, AND  
ALL LAWS MADE IN THEM: may by this means  
be called in question at pleasure; (yea nullified and repealed  
for ever, as some former Parliaments have been, when held  
and over-ruled by armed power, or rudely elated, pushed, sum-  
moned without Lawfull Authority, or some of the Mem-  
bers forcibly secluded, as you may read at large in the Sta-  
tures of 21 R. 2. c. 11, 12, 16, 17, 18. 1 H. 4. c. 3. 1 H.  
4. Rot. Parl. n. 22, 23, 36, 48, 66, 70, 113. 39 H. 6. c. 7. &  
17 E. 4. c. 7. worthy the serious perusal of our present  
Grandeers, and all illegitimate Parliaments, where they  
may read the fatal end of all new unparliamentary projects,  
laws, devices, wherein many now so much glory; as if they  
would continue firm for ever: when as in a few years  
space, they will all probably prove nullities; be for-  
ever reversed; yea, branded to posterity, as most pernicious  
presidents.

a. That his Majesty (the Army and their General Coun-  
cel) may declare what is the known Law of the Land, &  
gainst the judgement of the Highest Court, and conse-  
quently of all his Courts; So that the safety and right of  
King and people, and THE LAW IT SELF must depend  
upon his Majesties (the Army, General, and their Coun-  
cels) pleasure.

4. That as the King hath a property in his Townes,  
Fortes, and Kingdoms; so he (the Army and their General  
Council) may \* dispose of them as he pleaseth; and the Re-  
presentative body of the whole Kingdom may not inter-  
meddle in discharge of his Majesties (the Armies, Generals,  
& Councils) trust, though by the advice of evil Counsellors  
they see it diverted to the hazard of the publique peace &  
safety of the Kingdom.

5. That

That his Majesty (the Army, General, and their Council) or any other person, may upon suggestions and pretences of Treason, Felony, or breach of peace (or of their Trusts, a fourth Army new-minted cause) Take the Members of Parliament, without giving satisfaction to the House, whereof they are Members, of the grounds of such suggestion or accusation, and without and against their consent (as in the case of the late sequestered, secluded Members, and their two Junct's since) so they may Dis- member a Parliament, when they please, and make it what they will, when they will.

\* See their impeachment of the 21. Members, & the humble Answer of the Gen. Council & Officers of the Army, &c. Jan. 3. 1648. Have they not lately done so since this was penned, as well as heretofore?

6. That whosoever shall follow the King (Army, General and their Council,) in the wars (against the Parliament) though it were to destroy Laws, Liberty, Religion, the Parliament itself, and the whole Kingdom; yet he shall be free from all crime or punishment. And that on the other side, to oppose by force any such force, though in the most Legal way, and by authority of the Representative body of the whole Kingdom, is so leavy war against the King (Army, General) and TREASON (within the Letter of 25 E. 3. or of their new Knacks since:) So our Lands, Liberties, Lives, Religion, and Laws themselves, (whereby all the Rights both of King and People are due to them, and preserved for them, shall be at the sole will and pleasure of the Prince (Army, General, and General Council of Officers, in their new High Courts of Injustice, or other Martial Judicatories, as now they are.)

O consider, consider seriously by these particulars, to what a sad, low, despicable condition all English Parliaments are now for ever reduced; and their pristine ancient Privileges, Honor, Freedom, Power, violently ravished from them by the late Army practices, violences, and rebellious insolencies against them, never to be paralleld in any age; which hath really verified this clause in the Declaration of both Houses, \* August 4. 1642. objected against the King and his popish Army, in relation to the Parliaments Army, purposely raised, commissioned, & engaged for their defence. That if the King (by his Army)

may

Exact coll. P. 496.

may force this Parliament (as the Parliaments Army both forced and dissolved it) they may bid farewell to all Parliaments, for ever receiving good by them; And if Parliaments be lost, they (the People) are lost, their Laws are lost, as well those lately made, as in former times, **ALL WHICH WILL BE CVT IN SVNDER WITH THE SAME SWORD. NOW DRAWN FOR THE DESTRUCTION OF THIS PARLIAMENT:** (as we now find true by sad experience.)

\* *Epistola ad solitariam Vitan agentem.*  
Sir Christopher Sybthorpe his Reply to an Answer made by a Popish Adversary, Dublin 1625. p. 27, 28, 29.

\* *Athanasius*, Bishop of *Alexandria* (about the year of our Lord 340.) objected this as a great crime, barbarism, cruelty, and violation of the priviledges of Councils, to the *Arrian* Emperour *Constantine*. That whensoever he called a Council or Assembly of Bishops, it was but for a shew: For he would not permit them to be guided by the Ecclesiastical Canons, but his Will alone must be their only Canon. And when they advised him, not to subvert the Ecclesiastical order, nor bring the *Arrian* Heresie into the Church of God, he would neither hear, nor permit them to speak freely; but grievously bending his brows (if they had spoken cross to his designs) and **SHAKING HIS SWORD AT THEM, COMMANDED THEM TO BE TAKEN AWAY.** Whereupon he thus saies, What Liberty for perswasion, or place for advice is there left, when he that contradiceth, shall for his labour lose either his Life, or his Country? Why hath the Emperour gathered so great a number of Bishops, partly terrified with threats, partly inticed with promises, to condescend, that they will not communicate with *Athanasius*? And *Hilary* Bishop of *Poitou* Ann. 360. in his first Book against this Tyrannical *Arrian* Emperour *Constantine*, thus censures his violent proceedings of this kind, to the subversion of the freedom and priviledge of Councils and their members. **Thou gatherest COUNCILS, and when they be shut up together in one City, thou TERRIFIEST THEM WITH THREATS, THOU PINNEST THEM WITH HUNGER, THOU LAMEST THEM WITH COLD,** (as the Army Officers did the secluded

secluded Members 6 and 7 Decemb. 1648. when they shut them up all night in Hell, on the bare boards without beds in the cold, and kept them fasting all the next day at Whitehall, til 7 a clock at night) *Thou depravest them with Dissembling; O THOU WICKED ONE, what a mockery dost thou make of the Church and Conncels? Only Dogs return to their Vomit; and thou compellest the Priests of Christ, to sup up those things which they have disgorged, and commandest them in their confessions, to allow that WHICH BEFORE THEY CONDEMNED.* What Bishops hast thou left innocent? *What tongue hast thou not forced to falsehood? Whose heart hast thou not brought to the condemning of his former opinion? Thou hast subjected all to thy will, yea, to thy violence.* And have not some swaying Army Officers, by their frowns, menaces, frauds, Swords, open force upon the Parliament and its Members, beyond all the presidents in any ages, done the like, and exceeded this Arra<sup>n</sup> Tyrant herein? And is it not then high time for all friends to Parliaments, to protest and provide against such detestable, treasonable violences for the future, destructive to all Parliaments, if permitted, or silently pretermitted without question, exemplary censure, righting of the imprisoned Members, or any provision to redresse them for the future?

Our prudent Ancesters were so carefull to prevent all violence, force, arms, and armed men, in or near any places where Parliaments were held, to terrifie, overawe, or disturb their proceedings or Members; \* That in the Parliament of 7 E. 1. (as you may read in *Rafale Abridgement*, Armour, 1. Provision was made by the King, by common consent of the Prelates, Earls, and Barons, by a general act, That in all Parliaments, Treaties, and other Assemblies, which should be made in the Realm of England FOR EVER, every man shall come without Force, and without Armour, well and peaceably to the honour of the King, and of the peace of him, and of his Realm, and they together with the Commonalty of the Realm upon solemn advise, declared, That it belonged to the King, and his part it is by his Royal

\* See the Declaration of the Lords and Commons; June 6. 1642. concerning this Statute.



' Signiory strictly to defend *Wearing of Armour*; and all  
 ' other *Force*, against his peace at all times, when it shall  
 ' please him ( especially at such times, and in places where  
 ' such Parliaments, Treaties, and Assemblies are held )  
 ' and to punish them which shall doe contrary according  
 ' to the Laws and usage of the Realm And hereunto they  
 ' are bound to aid the King, as their Sovereign Lord,  
 ' at all seasons when need shall be: Hereupon our  
 ' Kings ever since this statute, by virtue thereof, and by  
 ' the Law and Custom of the *PARLIAMENT*, ( as  
 ' Sir *Edward Cook* in his 4 Institutes c. 1. p. 14. informs us )  
 ' did at the beginning of every Parliament, make a speci-  
 ' all Proclamation, Prohibiting the bearing of Arms  
 ' or weapons, in or near the places, where the Parlia-  
 ' ment sate, under pain of forfeiting all they had; Of  
 ' which there are sundry presidents cited by Sir *Edward*  
 ' *Cook* in his Margin; whereof I shall transcribe but one  
 ' ( which he omits ) and that is 6 E. 3. Rot. Parliament n. 2.  
 ' 3. ' Because that before these days, at the Parliaments  
 ' and Counsels of our Lord the King, Debates, Riots and  
 ' commotions have risen and been moved, for that People  
 ' have come to the \* places where Parliaments have been  
 ' summoned and assembled, armed with privy coats of plate,  
 ' spears, swords, long knives, ( or daggers ) and other sort of  
 ' arms, by which the businesses of our Lord the King and  
 ' his Realm have been impeached, and the great men which  
 ' have come thither by his command, have been affright-  
 ' ed: Our Lord the King, willing to provide remedy  
 ' against such mischiefs, defendeth, that no man of what  
 ' estate or condition soever he be, upon pain of forfeiting  
 ' all that he may forfeit, to the King, shall be seen armed with  
 ' a Coat of Mail, nor yet of plate, nor with an Halberd, nor  
 ' with a spear, nor sword, nor long knife, nor any other  
 ' suspicious arms, within the City of LONDON, nor  
 ' within the Suburbs thereof; nor any place near the said  
 ' City, nor yet within the Palace of WESTMINSTER,  
 ' or any place near the said Palace, by Land or Water, un-  
 ' der the foresaid pain: except only such of the Kings  
 ' men.

\* Is not the  
 quartering of  
 Horse and  
 Foot in or  
 near such places,  
 to affright  
 and overawe  
 Parliaments  
 and their  
 Members, a  
 Violation of  
 this Law, Pro-  
 clamation,  
 Law and Cu-  
 stom of all  
 English Par-  
 liaments, fit  
 to be redres-  
 sed?

men as he shall depute, or by his command shall be  
 'deputed to keep the peace within the said places : and  
 'also except the Kings servants, according to the Statute  
 'of *Northampton*. And it is not the intention of our  
 'Lord the King, that any Earl, or Baron may not have  
 'his Lance brought to him in any place, but onely in the  
 'Kings presence, and in the place of Councell. The  
 like Proclamations were made in the beginning of the  
*Parliaments* of 9. 13, 17, 18. 20, 25 *Edw.* 3. and sundry  
 others : more necessary to be revived in all succeeding  
 English *Parliaments* now, than ever heretofore, since the  
 unpresidented forces upon the late Members of both  
 Houses, and the Parliament it self, by the Army-Officers  
 and Souldiers, raised to defend them from Violence :  
 The Treasonableness and Transcendency whereof be-  
 ing at large related in my Epistle to the Reader, before  
 my Speech in Parliament 4 *December* 1648, I shall  
 not here criminally presse, nor insist on, but referre them  
 thereunto : However for the future security and free-  
 dome of our *Parliaments* from violence, I must crave  
 liberty to inform these *Army Parliaments-drivers, sorters,*  
*dissolvers,* (habituated to this trade) That if the \* *late*  
*Kings* march to the *House of Commons*, accompanied only  
 with some of his Pensioners and others, armed with Pistols and  
 Swords, meerly to demand but five Members thereof to  
 be delivered up to Justice, particularly impeached by him  
 of *High Treason* some dayes before : to wit, \* *That they had*  
*traiterously endeavoured to subvert the Fundamental Laws*  
*and Government of this Kingdome : To deprive the King*  
*of his Royal power : To place over the Subjects an Arbitrary*  
*and Tyrannical power, To subvert the very Rights and be-*  
*ing of Parliaments : and by force and terror to compell*  
*the Parliament to joyn with them in their designs, for*  
*which end they had actually raised and countenanced Tu-*  
*mults against the King and Parliament :*

Or if the \* *Kings* bare tampering with some Officers  
 'of his own Northern Army, to draw a Petition from  
 'them to the Houses, or march towards *London* from

\*Exact coll.  
 P. 34. 56, 66,  
 67, 68, 76, 77,  
 198, 200, 201,  
 202, 246, 695,  
 723. 729.

\*Let those ob-  
 serve this Im-  
 peachment,  
 who are now  
 really guilty  
 of it in the  
 highest de-  
 gree.

\*Exact Coll.  
 P. 118, 195,  
 207. to 237.  
 248, 273, 293.  
 523, 524, 525,  
 617, 631, 660,  
 their 695.

\* Exact Coll.  
in the pages  
quoted before.

‘their quarters; (not to seile upon, force or dissolve the  
‘Parliament or its Members, but only to over-aw them;  
‘and impeach the freedom of their debates, Voter touch-  
‘ing Episcopacy, Church-Government, and the  
‘Kings Revenues) were such high transcendent violati-  
‘ons of the Priviledges and Freedome of Parliament,  
‘and unsufferable injuries, as both Houses of Parliament  
‘separately, and joyntly proclaimed them to all the  
‘world, in \* severall Declarations; during his life;  
Or such capitall crimes; as those who condemned and  
executed him for a Traytor and Tyrant, have published in  
their Declaration of 17 March 1648. (touching the grounds  
of their proceedings against him, and setting the Government  
in the way of a Free State, without King or House of Lords)  
since his beheading, in these very words. ‘But ABOVE  
‘ALL, the English army was laboured by the King to be  
‘engaged against the English Parliament; a thing of that  
‘strange impiety and unnaturalness for the King of England,  
‘that nothing can answer it, but his being a Forraigner; nei-  
‘ther could it have easily purchased belief, but by his suc-  
‘ceeding visible actions in full pursuance of the same; as  
‘the Kings comming in Person to the House of Commons,  
‘to seile the five Members, whither he was followed  
‘with some hundreds of unworthy debauched persons,  
‘armed with swords, and pistols, and other arms; and  
‘they attending him at the door of the House, ready to  
‘execute what the Leader should command them. Which  
they charged against the King, as the highest of his unpar-  
alleld Offences; for which they appeal to all the World of in-  
different men to judge, whether they had not sufficient cause  
to bring him to Justice? Though neither he nor his follow-  
ers then seized, secured, secluded, injured any one Member,  
when they thus went to the Commons House; Yea \* present-  
ly retracted his Impeachment, and offered all satisfaction that  
should be desired by the House for this breach of Privilege: and  
though neither the Northern Army, nor their Officers ever  
advanced towards, or offered the least violence to the Hou-  
ses, or their priviledges, by Petition or otherwise.

\* Exact Coll.  
p. 51, 52, 54.  
66, 67. and  
elsewhere.

Then

Then certainly the Parliaments own Armies Officers, Counsels, manifold high printed *Declarations*, of June 14. 23. July 7. Aug. 18. 1647. Nov. 16. & Decemb. 7. 1648. and others before and since, their professed open Oppositions, Impeachments, against the very Proceedings, Votes, Orders, Ordinances, Members of both Houses of Parliament, which first raised them principally for their defence; [Printed by their order in their Book of *Declarations, The History of Independency, and my Speech in Parliament,*] their Impeachment of eleven Members of the House of Commons, and sundry Lords at once; their securing of above 40, and secluding of above five parts of six of the whole House of Commons at once; their avowed marches with the whole Body of the Army, in *Battalia*, severall times to force the Houses, seise their Members, over-aw, affright, dis-member, dissolve the Parliament in self, and their own new erected Junctoes since, and justification of it to all the world in print [in their humble *Answer touching the secured and secluded Members*, Jan. 3. 1648. *The true state of the case of the Commonwealth of England, 1654. and their Declarations concerning their dissolution of their two Junctoes*] after these Mildemeanours of the King, without the least repentance for them, must needs be farre more execrable, unwarrantable and criminal, than the Kings, and deserve a severer censure than his Peccadilloes in respect of their crimes. And if by the whole Armies printed *Remonstrances*, August 2. and 18. 1647. the tumult of some unarmed London Apprentices, who offered some small force to the Houses, to the violation of their Priviledges, (without securing or secluding any one Member) deserved a speedy and exemplary capital proceeding against the principal contrivers and Actors in it, as they then declared, and vehemently urged again and again in those *Remonstrances*) Or if by their own *Charge* in the Name of the whole Army, June 14. 1647. against the XI. Members, it was so high an offence in them, That they jointly or severally invited, encouraged, abetted or countenanced several

\* See their Declaration of June 23. 1647. & Aug. 18. Dec. 6. 1648

\* And their Generals Letter from Bedford, 29 July 1647.

\* See a Declaration of the Gen. Council & Armies Engagements, &c. p. 49.

Rea.

Reformadoes, and OTHER OFFICERS AND SOLDIERS TUMULTUOUSLY AND VIOLENTLY TO GATHER TOGETHER AT WESTMINSTER, TO AFFRIGHT & ASSAULT THE MEMBERS OF PARLIAMENT IN PASSAGES TO & FROM THE HOUSE, TO OFFER VIOLENCE TO THE HOUSE ITSELF, & BY SUCH VNRVLY OVRAGES & THREATS TO AWE AND INFORCE THE PARLIAMENT; And that upon their bare suggestion thereof (without any proof at all, or colour of truth) they presently demanded, That the persons impeached MIGHT BE FORTHWITH SECLYDED FROM SITTING IN THE HOUSE, and removed thence, before any hearing or trial, which the Officers and Army eagerly pressed in their Paper of June 15. 1647. Nay, if by their own late printed 'Instrument of the Government of the Commonwealth of England, &c. Articles 14. 16. 'All and every person and persons, who have aided, advised, assisted, or abetted in any war against the Parliament since the first day of January, 1641. (unless they have since been in the Service of the Parliament, and given signal testimony of their good affections thereunto) shall be disabled, and be incapable to be elected, or to give any Vote in the Election of any Member to serve in the next, or in the three succeeding triennial Parliaments: and all Votes and Elections given to the contrary, shall be null and void: And if any person so made incapable, shall forfeit one full years value of his real estate, and one full third part of his personal estate, in case he shall give his Vote for election of Members to serve in Parliament: as they there adjudge; though such persons as they intend thus to disable, never waged any actual war against the Parliament itself, or its Members, immediatly, but only against the Forces raised by the Parliament, and so mediately and indirectly only against the Parliament, (the case of all the late Kings adherents and assistants, not within the letter, but meaning of these Articles :) then doubtless those Army-Officers, Soldiers, and

and their *Confederates*, who 'advised, aided, assisted abetted in one or more wars against the Parliament Houses, and Parliament Members themselves, whom they immediately assaulted, forced, secured, secluded, dissipated, dissolved, destroyed, and have justified it several times in print, 'without giving any signal testimony of their good affections to the Parliament; and in this their Instruments have laid \* many Chains, clogs, restraints, on all new future Parliaments, of their own framing, inconsistent with the Honour, Freedom, Priviledges, being of real English Parliaments; deserve a farre higher and severer censure than these Apprentices, or impeached Members did in their repute; or those Members they most insolently accuse and impeach, in their Declarations of June 22. and August 18. 1647. (not to be presided in any age since the Creation, till then;) and they all are by their own Verdict, Instrument, totally disabled (as much as the archest Malignants and Cavaliers) by the very letter of these Articles, to be elected, or give any vote for the election of Members in the four next succeeding Parliaments; and those who have given their Votes in the late Elections, have thereby 'forfeited at least one full years value of their real, and one full third part of their personal estates; and deserve as high, (if not an higher) censure, as any sequestred, or other Delinquents condemned formerly by them, for bearing arms, levying or abetting any war, but only mediately against the Parliament; and as high an incapacity to be put not only on themselves, but their Heir males to serve in Parliament, as the Statute of 21 R. 2. c. 6. imposed heretofore on others, for a farre lesse offence, to secure the Members and Priviledges of all succeeding Parliaments, from such unpresided forcible violences, ruptures, dismembrings, dissolutions, as the last Parliament sustained, by the Armies outrage and confederacy against them, (of most dangerous president to Posterity;) of which I desire to make them truly sensible.

The last real and \* duly constituted English Parliament we had, were so deeply sensible, of the dangerous destru-

Article 10,  
12, 21, 22, 24,  
27, 30, 32, 36,  
37, 38, 39.

See Exact  
Collect. p. 320  
321, 322, 361,  
the true and  
excellen<sup>t</sup> con-  
stitution of our  
Parliament.

ive



\* Exact Col.  
p. 723, 724.  
726, 727.

Nota.

Nota.

Give Consequences of securing or secluding their Members, and keeping them from the Houses, upon any Impeachment or Surmises, without the Notice and consent of the House, that in their forementioned *Remonstrance of Nov. 2. 1642.* they claimed and asserted this, TO BE SO CLEAR AND ESSENTIAL A PRIVILEGE OF PARLIAMENT, THAT THE WHOLE FREEDOM THEREOF DEPENDETH UPON IT. That NO MEMBER OF EITHER HOUSE OF PARLIAMENT was to be proceeded against, or judged, NOR TAKEN AWAY, OR DETAINED FROM THE SERVICE OF THE HOUSE, WHEREOF HE IS A MEMBER; (no, not in case of Treason, Felony, or Breach of Peace, much lesse in any other) until such time as that House hath satisfaction concerning the cause: though in such cases they confessed, he might be arrested by the Officers of Parliament, or any other Ministers of Justice, to the intent only, That he might be brought to the Parliament *Corpus cum causa*, and detained in safe custody till he may be brought to the Parliament; but not to be proceeded against in any inferior Court, before such time as the cause be heard in Parliament, and dismissed from it. For (else) who sees not, that by this means, UNDER FALSE PRETENCES OF CRIMES AND ACCUSATIONS, SUCH AND SO MANY MEMBERS OF BOTH OR EITHER HOUSE OF PARLIAMENT MAY BE TAKEN OUT OF IT AT ANY TIME, BY ANY PERSONS TO SERVE A TURN, AND TO MAKE A MAJOR PART OF WHOM THEY WILL AT PLEASURE. And as the grand Inquest of the whole Kingdom should be (by this means) subject to the grand Inquest of one particular County; So the whole Representative Body of the Kingdom should be at the Devotion of a Middlesex Jury, (as since of their own Army, raised to protect them from these mischiefs.) And therefore, as THE FREEDOM OF PARLIAMENTS DEPENDETH IN A GREAT PART UPON THEIR PRIVILEGES, AND THE FREEDOM OF THIS NATION UPON THE FREEDOM OF PARLIAMENTS, WE HAVE GOOD REASON TO BE.

and all Zealous Protestants Freemen of England.

BELEIVE, that the People of England knowing their Lives and Fortunes are bound up in this bundle, will venture their Lives and Fortunes in this Quarrel: Which I intreat all those who have so highly infringed this principle Privilege of Parliament of late years, with all the people of England now seriously to consider, to vindicate, preserve it in all succeeding ages from the like violations, if ever they expect to be *Freemen*, or to enjoy *free English Parliaments again*; \* which are such an **ESSENTIAL PART** \* Exa<sup>t</sup> Coll. OF THE CONSTITUTION OF THE KINGDOM, that P. 561. *we can attain TO NO HAPPINESSE WITHOUT THEM, and like Hipocrates twins, We must laugh and cry, LIVE AND DIE TOGETHER WITH THEM.*

Now farther to convince the *Army-Officers, Souldiers*, of their late great injustice to, and affronts, -contempts against the Parliament which raised them, in relation to our ancient fundamental Government and chief Member of the Parliament; I shall desire them and all their confederates in cold blood, seriously to consider, whether they have not, by their undatiffull, violent proceedings against them, contrary to the Votes, Declarations, Remonstrances of the PARLIAMENT, endeavoured (as much as in them is) to falsifie this clause in both Houses Declaration Nov. 2. 1642 \* *Although they would perswade* \* Exa<sup>t</sup> Coll. *his Majesty, That there is little confidence to be placed in* P. 696. *our Majesty and Duty*, yet, **AS GOD IS WITNESSE OF OUR THOUGHTS, SO SHALL OUR ACTIONS**

**WITNESSE TO ALL THE WORLD; that TO THE HONOR OF OUR RELIGION, and OF THOSE WHO ARE MOST ZEALOUS IN IT** ('so much struck en at by the contrivers of that Declaration, under odious names) we shall suffer more for and from our Sovereign, than we hope God will ever permit the malice of evil Counsellors to put us to: And although the happiness of this and all Kingdomes dependeth chiefly upon God: Yet WE ACKNOWLEDGE THAT IT DOETH SO MAINLY DEPEND UPON HIS MAJESTY, and THE ROYALL BRANCHES OF THAT

\* How much it and they have been dishonoured by the contrary, let the Army Officers read at leasure in *Militaire his Victory of Truth.*

*Nota.*

L  
ROOT

Nota.

'ROOT, that as WE HAVE HERETOFORE, SO  
'WE SHALL HEREAFTER, esteem no hazard too great,  
'no reproach too vile; but that we shall willingly goe  
'through the one, and undergoe the other. That we, and  
'the WHOLE KINGDOME MAY ENJOY THAT  
'HAPPINESSE, which we cannot in an ordinary way of  
'providence expect FROM ANY OTHER FOUNTAIN  
'OR STREAM, than those from whence (were the pol-  
'lution of evil Counsels once removed from about them) no  
'doubt, but we and THE WHOLE KINGDOME  
'SHOULD BE SATISFIED MOST ABUNDANTLY.  
And on the contrary, have they not fully and actually ver-  
fied, in respect of themselves and their Confederates  
in the Houses, this *Odious aspersiō*, then (only in predi-  
ction) cast by the KING on the PARLIAMENT, but by  
them at that time renounced with greatest detestation,  
and drawn those sad consequences on the whole Kingdom,  
wherewith both HOUSES conclude that Declaration in  
these words?

\* Exact Coll.  
P. 730.

70. \* That the Representative Body of the whole King-  
dom (since dissolved by the Army) is a Faction of  
*Malignants, Schismatical, Ambitious Persons*, whose DE-  
SIGN IS AND ALWAYS HATH BEEN TO AT-  
TER THE WHOLE FRAME OF GOVERNMENT,  
BOTH OF CHURCH AND STATE, AND TO SUB-  
JECT BOTH KING AND PEOPLE TO THEIR OWN  
LAWLESSE ARBITRARY POWER AND GOVERN-  
MENT, and that they DESIGN THE RUINE OF HIS  
MAJESTIES PERSON and OF MONARCHY IT SELF,  
and consequently that they are TRAITORS and all the King-  
dome with them, (for their act is the act of the whole King-  
dome) And whether their punishment and ruine may not also  
INVOLVE THE WHOLE KINGDOM IN CONCLU-  
SION, AND REDUCE IT INTO THE CONDITION  
OF A CONQUERED NATION (as some ARMY OFFI-  
CERS, & SOULDIERs openly averre we are now redu-  
ced to by and under them) NO MAN CAN TELL, BUT  
EXPERIENCE SHWETH US (and now we find it  
too true)

most

and all Zealous Protestant Freemen of England.

most true in the \* ARMY-OFFICERS, COVNCILL, SOVLDIERS) THAT SVCCESSE OFTEN DRAWS MEN NOT ONELY BEYOND THEIR PROFESSION, but also many times beyond their first intentions.

\*Who in their Letters of July 18. 1647. Propositions of Aug. 2. and others of their Declarations,

professed to all the world, That it was fully agreeable to all their Principles, & should be their desires, and endeavours to maintain Monarchy, the Priviledges and Freedom of the Parliament; and the Rights of his Majesty and Royal Family, that so a lasting Peace and Agreement might be settled in this Nation, &c. which otherwise, they confessed when in good earnest, could not be hoped for, nor expected. Whence they intituled their Printed Book, A Declaration of the Engagements, Remonstrances, Representations, Proposals, Desires, and Resolutions from his Excellency Sir Thomas Fairfax, and THE GENERAL COUNCEL OF THE ARMY, FOR SETTLING OF HIS MAJESTY IN HIS JUST RIGHTS, THE PARLIAMENT IN THEIR JUST PRIVILEDGES, and THE SUBJECTS IN THEIR LIBERTIES AND FREEDOMES; Printed by their and the Lords House special Order London 1647. Let them now seriously consider and perform it in good earnest.

Surely as the Armies and their Confederates late proceedings in relation to themselves, (though not unto the forced, dismembred, dissolved Parliament, and sequestred Members) have fully verified this charge in every particular, then reputed most false and scandalous; which I thus press upon their consciences at this time, and so largely insist on, not to defame or asperse them to the world, so many others do, who apply that black Character of Isaiah 2. to 6. vs 12. 6. Rev. 3. 10. to 19. (They are all an ASSEMBLY OF TREACHEROVS MEN: Their habitation is in the MIDST OF DECEIT, &c. Destruction and Misery are in their wayes, and the way of Peace they have not known; there is no fear of God before their eyes) unto them in a more eminent manner, as being really verified by their unparalleled exorbitances formentioned; but to vindicate the Innocency, Integrity of the Majority and sequestred Members of both Houses, against the scandalous printed aspersions of *Still-tires* and other *Papists*, to preserve and justify the Honour of our Reformed Religion, and of the most zealous Professors thereof; to restore, re-establish if possible, the Priviledges, the Freedom of all Future Parliaments, much impaired, endangered by their heady violent Proceedings, and most pernicious Presidents to Posterity (if not

publicly abominated, exploded by them, or exemplarily punished (to deter all others from their future imitation) to convince them by what *Jesuitical, Popish, old Court-Principles, Counsels, Practises*, they have hitherto been misguided; and to reclaim them, as much as in me lieth, for the future, from the like *destructive Practises*, for the publick Safety, Peace, Settlement of *our distracted Kingdoms*; and do most earnestly beseech them, as they are *English-men, Souldiers, Christians*, seriously to repent of and lay to heart, lest they perish eternally for them at last; as likewise to take heed, lest by teaching and instigating the *Common Souldiers of the Army*, to suppress, oppress, betray the *Parliament, Kingdom, People*, who raised, payed, and entrusted them *only for their safeguard and defence*, they do not thereby instruct and encourage them at last to betray and destroy themselves; it being a true observation of \* *Seneca the Philosopher, Aliquando Tyrannorum praedia in ipsos consurrexerunt. PERFIDIAMQVE ET IMPIETATEM ET FERITAREM, ET QVICQVID AB ILLIS DIDICERANT, IN IPSOS EXECRERVNT: Quid enim potest ab eo quisquam sperare, QVEM MALVM ESSE DOCVIT? Non diu paret, nequitia, nec quantum iubetur, peccat*; as we have seen by many late presidents: So the *Army-Officers, Souldiers* Great Successes in all their Wars, Designs, and forcible ill Proceedings against the King, Parliament, Kingdom, Government, Laws and Liberties; as it hath caused them *not only beyond their Professions, but also beyond their first Intentions, Commissions, Protestations*, to forget that Gospel-precept given to *Souldiers, Luke 3. 14.* to advance themselves to a more absolute *Soveraign arbitrary Power* over them, than ever any *Kings of England* claimed or pretended to, (as their late Proceedings, Remonstrances, and transcendent *Infrument* of the Government of the three Kingdoms, manifest;) so it hath been the (f) *principal Ground*, whereby they have justified all their unpresidented forementioned *Exorbitances*, as lawfull, commendable, Christian; and that which hath struck such a *stupifying pannick fear*, such a *stupendious cowardize*,

\* De Clement.  
l. 1. c. 26.

(f) Psal. 37. 7  
Psal. 73. 3. &c.  
Eccles. 8. 11.  
12.

cowardize, baseness, selfishness, into the Generality of the Nobility, Gentry, Ministry, and Commons of our late most heroick English Nation, that there is scarce (s) a man (t) Ezek. 22. to be found throughout the Realm of any Eminency (though 30. we should seek after him like Diogenes, with a Candle) that dares freely open his mouth against their most irregular, illegal, vilest, destructive arbitrary Proceedings, Usurpations, Innovations, Oppressions, Taxes, Projects, to the shaking and utter subverting of our ancient Fundamental Laws, Liberties, Rights, Properties, Parliaments, Parliamentary priviledges, Government, and taking away of the very Lives of some (and thereby endangering the Lives of all other) English Freeman of all Degrees, in mischristened High Courts of Justice. Such a strange Charm is there in Success alone, to metamorphise Men into meer (v) tempo- (v) See 2 King. rising, slavish, sordid sorts and beasts; yea, to cause not only 10. 1, 10. 12. persons truly honourable, but the very (x) Devil himself, 17. Eth. 8. 17. and the worst of beasts, to be wondred after, applauded, ad- (x) Deut. 32. 17. 1 Cor. 10. dored, not only as Saints, but Gods. We read Rev. 13. 20. Rev. 9. 20. Ephes. 2. 2. of a Monstrous deformed BEAST, to whom the Dragon (the Devil) gave his Power, Seat and Great Author 73 where- upon, all the world wondred after the Beast, and worshipped not onely the Dragon, that gave him power, but the Beast likewise; saying, Who is like unto the Beast? WHO IS ABLE TO MAKE WAR WITH HIM? And there was given unto him a Month speaking Great things, and blasphemies, and power was given him to continue and make war forty and two months. And power was given unto him to make war with the SAINTS, AND TO OVERCOME THEM; and power was given him over all Kindreds, and Tongues, and Nations. And (HEREVPON IT FOLLOWS) all that dwell upon the earth shall worship him, whose names are not written in the Lambes Book of Life. And another Beast (under him), caused the earth and all that dwell therein to set up the Image of this Beast, and to worship it; and he caused all both small and great, rich and poor, free and bond, to receive the mark of the Beast in their right hand, and in their fore- heads; and none might buy or sell, but he that had this mark;

and a



and as many as would not worship this Beasts Image, were ordered to be killed. Yet this Blasphemous Beasts reign and power continued but forty two Months, Rev. 13. 5. This Beast, (in the height of his Power and Victories.) was by God himself, threatened to go into captivity, and be killed with the Sword, as he had led others into captivity, and killed them with the Sword, ver. 10. All his followers and worshippers shall (soon after) drink of the wine of Gods wrath, and be tormented with fire and brimstone, &c. Rev. 14. 9, 10, 11. The Saints at last shall get the victory over this Beast, Rev. 15. 2. And the Beast himself (notwithstanding all his former Victories, Friends, and great Armies) was at last taken, and his false Prophet with him; and were both cast alive into a lake burning with fire and brimstone, and all his Forces were slain with the Sword, and the forts were filled with their flesh, Rev. 19. 18, 19, 20, 21. From which Texts I have frequently silenced, confounded some of our conquering Army-Officers and Souldiers; whilst prisoner under them, when they were vapouring of their Great Victories, Successes, and concluding from thence, both their Saints ship, and the Goodness of their Actions; saying oft-times like the Beasts followers here, *Who is able to make War with us?* And that with these genuine deductions from these Texts, which they could not reply against; worthy all Souldiers and others saddest meditations.

1. That God may, nay oft-times doth give great power to the very worst and most blasphemous of all Men and Beasts; & that not only over one or two, but many Tongues, Nations, as in this Text, and Dan. 7. 3, to 29. c. 8. 4. to 27.

2. That such Beasts many times may, and do not onely make war with, but even overcome the very Saints themselves in battle, as the Babylonians, Assyrians, and other ungodly Beasts did the Israelites, Gods own Saints and People, Psa. 79. 1, 2, &c. Dan. 7. 21, 23, 24, 25. Isa. 10. 5. &c. c. 14. 18, 19. Jer. 26. 6, 7, 8. c. 25. 9. &c. yec they were but blasphemous Beasts, and wretches still, not Saints.

3. That if such Beasts have but Great Power and Success in their Wars, Enterprises against their Enemies, or the Saints them-

themselves; though their mouths utter blasphemy against the God of Heaven, his Name, Tabernacle, Saints; though their Actions, Designs be never so impious, atheistical, treasonable, detestable; their power but short and fading, yet whiles they are in Power and Prosperity, the whole world will wonder, run after, worship, flatter, Sain, Dris, and Adore them for Gods, (as (1) Alexander the Great, and Julius Casars friends, flatterers did them; and some wicked Popes Favourites them too; yea, set up, and worship their very Images, receive their marks in their hands, forehead, and enol them to the skies, saying, who is like unto the Beast? who is able to make war with him? (2) Plutarch, Arrianus, Quintus Curtius, Suetonius, Grimsen, in the life of Alexander, and Julius Casar, Balanus, his Lives of the Popes. Morryes Mystery of Iniquity.

4. That such adulations Speeches, Vaunts, Practises as these, and such Arguments of Saintship, of the Goodness of mens causes, undertakings, actions, only from their present Power, Victories and Successes, are the arguments, practises, of worldly, earthly, fleshly men; of worshippers of the Beast and Dragon of (2) Assyrians, Turky, Popes, not of the elect real Saints of God, whose names are written in the Lambes Book of life; who will neither flatter, worship, nor adore such Beasts, nor receive their marks in their hands or forehead, though they be prohibited to buy or sell, or stain for refusing it by their Instruments, Rev. 13. 8; 15, 17. Dan. 3. 12, 18, 19.

5. That such Beasts in power, will never want under-Beasts and Instruments, nor yet (a) false Prophets to persuade or enforce Obedience and Subjection to them, even by dis-franchisements, death, lying wonders, flattering Prophecies, Speeches, Sermons, and Hypocritical Mock-fasts. (a) Rev. 13. 1. to 18. c. 16, 13. 14. c. 19, 20. 1 King. 22. 6. to 24.

6. That the Power and Dominion of such Beasts, is given and derived to them immediatly by the Dragon (the (6)) (b) Ephes. 2. 2. Prince of the power of the Air.) only by Gods permission, not his approbation; Rev. 13. 2. Hol. 8. 4. 2 Thess. 2. 4, 8, 9. And that in wrath, for the punishment of the Peoples sins, and destruction, greater condemnation of the beasts themselves is just; Hol. 19. 11; Rev. 13. and 14. and 19. Plal. 94. 23; Jer. 31. 24, &c. 7; throughout Hab. 2. 6, 7, 8.

7. That

7. That this their Dominion, Raign and Triumph, is commonly very short, like this *Beasts* here for forty two Months, Rev. 13. 5. which is but three years and an half. (c) *Julius Caesar* that great first Conqueror of this Island and a great part of the World; usurping the supreme Power over the Roman Senate, and changing the Government, lived only FIVE MONTHS A SOVERAIGN LORD IN PEACE (though some compute his whole dominion 3 years and 7 months) and then was suddenly stabbed to death in the Senate-House, by those friends in whom he reposed greatest trust; for his Tyrannical Usurpations, and alteration of their former Government; for endeavouring (as was suspected) to make himself KING OF THE ROMANS, (though he rejected the Title of King when offered unto him by M. Antonius, saying, That *Jove* was only King of the Romans, that so he might seem to be compelled to receive it by the people; (being their King before in deed, though not in name.) and for saying, That the \* Commonwealth was but a Voice or Name, without a Body or Substance. *Nullum violentum est dominium*. See Isa. 10, and 14. Job. 20. 4, 5, &c. Psal. 37. and 73. Psal. 92. 6, 7. Isa. 17. 13, 14. 2 Chron. 23. and Sir Walter Rawlies Preface to his *History of the World*, worthy serious perusal by the Grandees of these times.

(c) *Paterculus*,  
*Plutarch*, *Su-*  
*tonius*, *Anton-*  
*ni Chronica*,  
*Grimston*, and  
others, in his  
Life, *Jacobus*  
*asserius Anna-*  
*lium* pars po-  
sterior, p. 366,  
367.

\* Do not some  
now by words  
and deeds, re-  
pute it and  
the People for

\* See Mat.  
West. an. 655.  
† Kings 16. 2  
Kings 15. 2.  
Chron. 13. 17,  
18, 19, 20. and  
our King *Ri-*  
*chard* the  
third.

8. That in conclusion such Conquering Usurping Beasts, notwithstanding all their Power, Friends, Followers, Confederates, Armies, Policies, are usually conquered, taken, slain on Earth, and cast into the Lake burning with fire, and brimstone for ever, for their Tyrannies, Blasphemies, Bloodsheds, Oppressions of the People and Gods Saints, and their Confederates, Armies, false Prophets, followers, adervers \* destroyed with them even on earth; and then made to drink the Cup of Gods wrath, fury and torments for ever in hell, Isa. 10, and 14. Jer. 50. and 51. Rev. 19. 19. 20, 21. c. 6. 15, 16, 17.

9. That though they continue Conquerors and victorious for many years; and conquer not only, one, two or three, but many Kings and Kingdoms; cut off not only the thumbs of their Kings, that they might not lift up a Sword against them, and their great ones, that they may not run

run from them, but their *Heads* too; Yet God at last (in his retaliating Justice) doth usually pay them home in their own coyn, as is evident, not onely by *\* Bajazes the Turkish Emperour*, our *\* King Penda*, (who slew no less than 5. Christian Kings in several battles, took sundry other Kings prisoners, and at last was slain himself, with all his old victorious Captains and Souldiers, by King Olwi, and a small despicable Army of raw Souldiers, not half so many as they, Ann. 655. who thereupon seized on his Kingdom) and others in prophane Stories; but by that memorable History of (d) *Adonibezek*; who after his Conquest of no less than seventy Kings, (who ever in this latter age, conquered one quarter so many?) and tyrannizing over their persons, was, by a small party of Judah and Simeon, sought with on his own dung-hil, his victorious old Army totally routed, ten thousand of them slain, himself forced to fly, pursued, and taken prisoner by these contemptible Enemies, who cut off his thumbs and his great toes. Whereupon *Adonibezek* (though an idolatrous Canaanite) used these memorable words, worthy all Conquerours and Tyrants memorial; recorded by God himself to all Posterity, *Judges* 1. 7. *Threescore and ten Kings having their thumbs, and their great toes cut off, have gathered their meat under my table* (like so many Dogs rather than Kings) **AS I HAVE DONE, SO GOD HATH REWARDED ME:** and they brought him (Prisoner) to Jerusalem, and there he died. See the like retaliation threatned, inflicted. *Hab.* 2. 6, 7, 8. *Isa.* 33. 1. *Dan.* 7. 23. to 27. *Obad.* 15. *Ezech.* 35. 5, 6, 15. *Rev.* 16. 5. 6. *Ier.* 51, and 52. *Nah.* 3. 1. &c. (e) See Joel 3. *Rev.* 13. 10. *Isa.* 3. 6, 7, 8. *Dent.* 32. 43. *Isa.* 10. & 14. 6, 7, 8. Mar. 26. 52. Sir Walter Rawleighs Preface to his History of the world, & Dr. Beards Theatre of Gods Judgements, on the 6 and 8 Commandments.

10. That the Elect Saints of God, do by faith in the Word of God, and upon consideration of the usual Providence and Justice of God towards such Beasts and bloody Conquerours, most assuredly see their downfall, and with patience expect it, *Rev.* 13. 9, 10. *If any man have an ear let him hear.* (e) **HE THAT LEADETH INTO CAPTIVITY, SHALL GO INTO CAPTIVITY; HE THAT**

M

THAT

THAT KILLETH WITH THE SWORD, MVST BE  
KILLED WITH THE SWORD: Here is THE PATI-  
ENCE AND THE FAITH OF THE SA'NTS. O that  
we had this Patience and Faith within us now!

11. That upon this Faith and Assurance, the true B-  
lessed Saints of God, neither will, nor do, nor dare to admire  
after, follow, worship or adore such B-asts, or their Images; nor  
receive their marks in their hands, or foreheads, though all the  
world else ready do it without opposition; enduring pati-  
ently rather to be warred upon, killed, secluded from buying  
or selling any thing, then unchristianly to adore, subject, or  
enslave themselves unto them, Rev. 13. 2, 15, 17. Esther 3.  
1, to 7. 2 Kings 3. 13, 14. John 10. 4, 5. Dan. 3. 4. to 30.  
1 King. 19. 18. 2 Chron. 11. 13. to 18.

Which serious seasonable considerations, as they should  
daunt the hearts and allay the high Presumptuous Spirits of  
the most Successfull Conquerors, Powerfull Usurpers or  
ver. and violent Swayers of the Liberties, Lives, Estates,  
Rights, Properties of their Lawfull Superiours or Christian  
Brethren, and all Subverters of the Laws, Priviledges, Par-  
liaments, Government of their Native Country, especially ga-  
gainst their Oathes and Trefts: So the Meditation on  
them, together with the contemplation of the infinite  
Power, Wisdom, Faithfulness, Justice, Holiness, Preserves,  
and gracious Promises of God, have at all times and seasons  
hitherto, invincibly animated, steeled, fortified my Soul in  
the midst of all my sufferings, both under the domineer-  
ing Prelates, Parliament-assaulting Army-Officers, the  
late Tyrannical cashiered Republicans, and all other self-  
exalted oppressing Powers, which (if not already dead and  
buried in the dust, with all their thoughts and high aspiring  
Projects,) yet shall certainly (f) die ere long like men, and  
become as dung; yea, they have enabled me by Faith and  
Patience, to be (g) more than a conquering triumpher over  
them: and to sing aloud with magnanimous David (a man  
after Gods own heart) long before their down-fall, Psal.  
27. 1, 2, 3. The Lord is my Light and my Salvation, whom  
shall I fear? The Lord is the strength of my life, of whom shall

(f) Isa. 51. 6.

12. c. 26. 13, 14.

Psal. 82. 7.

Psal. 146. 354.

(g) Rom. 8. 36.

57. Psal. 3. 6.

*I be afraid? When the wicked men mine enemies and my foes  
came upon me to eat up my flesh, they stumbled and fell: Though  
an host should encamp against me (as they did at Westminister,  
at my House, and in sundry Garisons; where I was a Pri-  
soner under Souldiers) my heart shall not fear: though War  
should rise against me, in this I will be confident: I will not be  
afraid of ten thousands of people that have set themselves against  
me round about. And to cry out in Pauls words of defi-  
ance against all Enemies and Perils in the cause of my God  
and Country (uttered in his own and all true Elected  
Saints names) Rom. 8. 35, &c. Who shall separate us from the  
love of Christ? (or our Native Country, as well actively as  
passively considered;) Shall tribulation? or distress? or per-  
secution? or famine? or peril? or SWORD? (of an whole  
Army, or other Powers) Nay, in all these things we are more  
than Conquerors through him that loved us. For I am per-  
suaded, that neither death, nor life, nor Angels, nor PRIN-  
CIPALITIES, NOR POWERS, nor things present, nor  
things to come, nor height, nor depth, nor any other creature, shall  
be able to separate us from the love of God, which is in Christ  
Jesus our Lord. And to say with him in all threatened  
Dangers for my sincere conscientious publick Services,  
Act. 20. 22. 24. And now I go bound to Jerusalem, not  
knowing the things that shall there befall me, save, that the Ho-  
ly Ghost witnesseth in every City, saying; That Bonds and Af-  
flictions wait for me. But none of these things move me, nei-  
ther count I my life dear unto me, so that I may finish my course  
with joy, and the Ministry which I have received of the Lord  
Jesus, &c. And verily me thinks the serious contemplation  
thereof, and of all the premises, with that of 2 Sam. 10. 12.  
1Sa. 31. 12. 13. 1er. 1. 8. Ezech. 2. 2, to 6. Daniel. 10.  
26. 28. coupled with Psa. 11. 2. If the foundation be de-  
stroyed, what can the righteousness do? Prov. 24. 22, 23. My  
Son, fear thou the Lord and the King; AND MEDDLE  
NOT WITH THOSE WHO ARE GIVEN TO  
CHANGE; For their calamity shall rise suddenly (which  
we have seen verified in many late Changers, Mock Par-  
liaments, and self-created new Powers,) and who knoweth*



the ruine of them both? should now at last banish all base carnal fears out of all timorous hearts; rouse up the languishing, fearfull, dead, stupid Spirits of our degenerated *English Nation*; and engage them all unanimously, undauntedly to claim, vindicate, regain, re-establish those ancient undoubted *Hereditary Fundamental Rights, Liberties, Priviledges, Franchises, Laws, Government*, (purchased with their *Ancestors* & their own dearest *Blood, Sweat, Treasures*) which belong to the whole Kingdom, to all true *English Parliaments, Freemen* in general, and to every of them in particular; whereof they have of late years been forcibly disseised, or hypocritically cheated by pretended *Patrons, Preservers, and Propagators* of them; the substance whereof I have here set before their eyes in *ten brief Propositions*, and by *Records, Statutes, Presidents, Histories, Contexts, Resolutions* in all ages, undauntedly, (as their *Common Advocate*) asserted, fortified to my power, for their Encouragement and president in this publick work. And if they will now but courageously second me herein, with their joynr, bold, rightfull *Claims, Votes, Declarations, and Resolute Demands* of all and every of their enjoyments, and future inviolable Establishments; with strenuous Oppositions of all *illegal perpetual Imposts, Excises, Contributions, Payments* (the chief nerves and cords to keep them still in bondage by *Mercenary Forces*, supported only by them to keep them still in slavery) according to their *Oaths, Vows, Protestations, Duties*, manifold late *Declarations, Remonstrances, Solemn League, Covenant*, and the encouraging memorable *Presidents* of their *Ancestors* in former ages here, recorded; I dare assure them (by Gods blessing) a desired *good Success*, whereof their *Ancestors* never failed: no mortal Powers nor Armies whatsoever, having either *Impudency* or *Ability* enough to deny, detain them from them, if they will but (b) generally, unanimously, courageously, importunately claim and demand them as their *Birth-rights*. But if they will still basely disown, betray, and cowardly desert both them and their *Assertors*, and leave them to a single combat with their combined Jesuical enemies (whom

<sup>a</sup> See Part: I.

2, 14, 15, 16.

(b) See 1 Sam.

8.4, 10 22. ch.

12. 2. 2 Sam.

18. 2, 3, 4. Jer.

38. 5.

and all Zealous Protestant Freemen of England.

(whom none take care to discover, suppress or banish out of our Realm, where they now swarm more than ever) and Armed Invaders; the Fate of our old English Britons, when they improvidently neglected to unite their Counsels, Forces against, and fought only singly with the invading united Armies of the Romans, is like to be Englands condition now; (i) *Dum pugnant singuli, vincuntur universi*; the single Champions of our Liberties, Laws, Rights, will be easily over-powered, destroyed; for the present; and all others (by their unworthy Treachery and Baseness, in not adhering to, but abandoning their present Patrons) discouraged, disabled to propugne, regain them for the future: and the whole Kingdom vanquished, yea enslaved for eternity in all humane probability, to those who have broken your (k) former yokes of wood, but instead thereof have made for, and put upon you yokes of Iron: and by the Jesuites Machiavillian Plots and Politicks, will reduce you by degrees under a meer Papal yoke at last, having deeply leavened many in power and arms, with their forementioned most desperate Jesuitical Positions, Practices and Politicks, which will soonish in the whole body of Popery, and all damnable Heresies whatsoever, by degrees, to the ruine of our Religion, as well as Laws and Liberties.

Wherefore, seeing it neither is, nor can be reputed Treason, Felony, Sedition, Faction, nor any Crime at all, but a commendable laudable Duty, to which our Priests, Bishops, Lords, Lawyers, Gentlemen, Knights, and all others, our own private and the publick Interest, Safety of the Nation engage us, for all and every Freeborn Englishman, jointly and severally to claim, maintain, preserve, by all just, honourable, publick and private wayes they may, their unquestionable Hereditary Birth-right, Laws, Liberties, Parliamentary Priviledges, &c. here asserted and presented to them, after so much Blood, Treasure, Labour spent to rescue them out of the hands of old and late oppressing Tyrants; nor any Offence at all, but a praise-worthy service now in me, or any other, publickly to encourage them to this duty, (and the strenuous defence of our endangered undetermined

(i) Tacitus in vita Agricola.

(k) Jer. 28.

33. 14.

mined Protestant Religion, subverted with-out Law & Liberties, and living or dying together with them) at this present season, as I have done heretofore upon all occasions; And seeing none can justly censure them or me, for discharging our Oaths, Consciences, Covenants, Proclamations, Duties, in this kinde, but such as shall thereby declare themselves Publick Enemies and Traitors to the whole Nation, Laws, Government, Parliaments of England, as the Resolutions, Presidents,\* herein cited, yea their own best friends, (and our Reformed Religion too) have already adjudged them. And seeing Sir Thomas Fairfax and the General Council of his Army held at Putney Sept. 9. 1647. in their Declaration, concerning THE FUNDAMENTAL AUTHORITY & GOVERNMENT OF THE KINGDOM; pronounced by their appointment, in these words: Whereas a Member of the General Council of this ARMY, hath publicly declared and avowed himself, THAT THERE IS NO VISIBLE AUTHORITY IN THE KINGDOM, BY THE POWER & FORCE OF THE SWORD, (as otherwise they say since, and now both by words and deeds, without controul) We therefore the said GENERAL COUNSEL (to testify How FARRE OUR HEARTS & MINDS ARE FROM ANY DESIGN OF SETTING UP THE POWER OF THE SWORD ABOVE OR AGAINST THE FUNDAMENTAL AUTHORITY & GOVERNMENT OF THE KINGDOM, & OUR READINESSE TO MAINTAIN AND UPHOLD THE SAID AUTHORITY:) have by a Free Vote (in the said Council, without contradiction) judged the said Member, TO BE EXPELLED THE SAID COUNSEL. Which we hereby thought fit so publicly, as A CLEAR MANIFESTATION OF OUR DISLIKE & DISAVOWING SUCH PRINCIPLES OR PRACTISES, (which notwithstanding they have since avowed, pursued in the highest degree; and desire them now to repent of, reform, and really make good) have engaged to maintain and propugne with their Swords, what we here endeavour to defend, support, with my Pen. And seeing they printed their Printed Papers

\* Part. 1. ch. 1.

[ See the Homilies against Disobedience, & wilfull Rebellion.

\* A Declaration of the Engagement, Remonstrances, & Resolutions of Sir Tho. Fairfax, & the General Council of the Armie, London, 1647. p. 150.

A Declaration of the Engagements, Remonstrances, Repre-  
sentations, Proposals, Desires, and Resolutions (made by Ex-  
cellency Sir Tho: Fairfax, and THE GENERAL COUN-  
CEL OF THE ARMY, for setting OF HIS MAJESTY  
IN HIS JUST RIGHTS, THE PARLIAMENT in their  
JUST PRIVILEGES, and the SUBJECTS in their LI-  
BERTIES & FREEDOMS. Also Representations of THE  
GRIEVANCES OF THE KINGDOM, & REMEDIES  
PROPOSED, for REMOVING THE PRESENT  
PRESSURES WHEREBY THE SUBJECTS ARE  
BURDENED (and EXCESSES, TAXES amongst  
the rest) And the Resolutions of the Army, For the estab-  
lishing of a more lasting peace IN CHURCH & KING-  
DOM, printed by their own, and the Lords House Special  
Order, London 1647: the self same things I here contend,  
plead for, (which I wish they would now really make good  
by their future consultations and actions, to avoid the  
just censures of most Hypocrites and Sycophants, as the whole  
World will else repute them.) I shall therefore comfort  
not only the whole Army, Army Officers, and their General  
Council, but likewise the whole English Nation, and all  
real Lovers of their own or their Countries Liberties,  
Peace, Liberty, Safety, Religion, and future Establishment  
in this common Cause, in the words of the Philosopher, one  
to another in a time of need, *ubi res periculis gravissimis affuit,*  
*1 Sam. 9. 9. Bosphorus and I, I quite your selves like unto Oye-  
le's Hissings, that so be we for ever to the Hebrews, as they* (1) 1 Cor. 16.  
*have been unto you: quite your selves like unto men, fish, &c. That*  
*so, as the Apostle writes in the Epistle, Phil. 1. 27. 28. 29.*  
*where by I come, and for you, and be assured from now, I may be  
of your affairs, (that is) I shall fight with you, with all my  
strength together for the faith of the Gospel; (and the an-  
cient Fundamental Laws, Liberties, Rights, Privileges, Par-  
liaments, Government and Religion of our Realm) which  
the Jesuites and their Instruments make their Master piece  
totally to undermine and subvert) And in nothing terrified  
by your Adversaries, which is to them an evident token of  
Perdition, but I joy in Submission unto the will of God, If the Pro-*  
*phets*

*Students of your renowned Ancestors here recorded, the Pa-*  
 (m) Recorded *terns of (m) many gallant Pagan Romans, Gracians, who have*  
 in Livy, Tully, *spent their Lives, for their Countries, Laws, Liberties; Or if*  
 Plutarch, Vale- *my example and these my Lucubrations shall provoke you*  
 rius Maximus, *hereunto: I shall think my labour well bestowed; and you*  
 and others. *and your Posterities worthy to live like English-Freemen.*  
*Ketta honesta* *But if you will now neither manfully demand, speak, nor con-*  
*digna Imperio* *tend for them any more, out of a slavish fear of a prevailing*  
*digna populo* *Army raised only for their just defence; or any other ho-*  
*Romano, omnia* *mane Powers whatsoever; nor once adventure with uni-*  
*pericula pro R.* *ted Spirits now at last, so much as confidently, boldly to un-*  
*publica subire* *these your unquestionable Birthrights at the Thrones of any*  
*mori pro patria.*  *mortal Grandees, your Fellow-Subjects, when God Almighty*  
*Cicero de Fini-* *himself commands you, to come with boldness to his celesti-*  
*bus bonorum,* *al Throne of Grace, that you may obtain (not meer right in*  
 &c. p. 365. *and Tule.* *here, but) Mercy it self, and Grace to help in time of need.*  
 Quest. p. 445. *Heb. 4. 16. Qui timide rogat, docet negare; you can neither*  
*hope for, nor ever obtain them for the future, but deserve*  
*eternally to forfeit them, and you and yours to be made*  
*slaves for ever. However I (though these Collections prove*  
*successless) shall carry this as a comfortable Cordial with me*  
*to my grave, That I have faithfully discharged my Conscience*  
*and bounden Duty to my degenerate Native Country, by en-*  
*deavouring all I could both to make and preserve it free indeed;*  
*to detect and prevent all Jesuitical Plots and Practises; to*  
*undermine, imbroyl, divide, subvert, ruine it; and used*  
*my utmost sincerest constant endeavours in my place and*  
*calling herein. But if through the Malice, Tyranny or In-*  
*justice of any prevailing Enemies of publick Freedom, or*  
*Jesuitical Agents, I shall chance to suffer for it in any kind;*  
*(as I have formerly done for most of my publick services of*  
*this nature) be it close-imprisonments, Fines, Pillories, Stig-*  
*matizing, or Death it self; I shall onely say beforehand, as*  
*Gregory the Great did heretofore: Indict. 2. Epist. 78. In*  
*causa quam Deo placere cupio, homines non formido: and as*  
*noble Heroick Esther did, in a like publick case for her en-*  
*dangered captivated Nation, (n) If I perish, I perish: and*  
*this my unrighteous suffering, shall be a new Glorious*  
*Crown*

(n) Esth. 4.  
16.

*Crown of Martyrdom to my head, both in earth and in (o) hea-* <sup>(o) 2 Co. 4. 16.</sup>  
*ven it selfe* when the Crowns, Names, Fames of all my <sup>1 Tim 4. 7, 8.</sup>  
 causeless malicious Enemies, Adversaries, Persecutors, and  
 all Enemies to our Laws, Liberties, Priviledges, Parliaments,  
 Kingdoms, Church, Religion, shall fade, sink, perishe like  
 dung, and be had in perpetual execration in all our *etern*  
*Kingdoms*; yea, my Bonds, Blood, Booke, shall (I hope)  
 through Gods own blessing on them, prove SEMEN EC-  
 CLESIAE, REPUBLICAE, REGNI, LEGUM, LIBER-  
 TATUM, AC PARLIAMENTORUM ANGLIAE, in  
 future ages, when their carcasses, who are publick En-  
 mies to, and subverters of them, shall lie rotting in their  
 Graves, and their Soules (without sincere repentance) be  
 scorching, roaring in infernal flames: nay, they shall rise up  
 in Judgement against and condemn them before all the Tri-  
 bunals in Earth and Heaven, both now, and hereafter at  
 that Great Judgement-day, when I, they, and all mankind  
 shall and must (p) appear naked, upon equal terms, (strip <sup>(p) 2 Cor. 5.</sup>  
 quite of all armed guards and earthly greatness, to secure <sup>10, 11. Mar.</sup>  
 them from being brought to Judgement) before the Tribu- <sup>25, 31, 32.</sup>  
 nal of Jesus Christ himself, (in the view of all the Holy An-  
 gels and Mankind) to give an account of all the things don in the  
 body in this world, according to that I and they have done, whe-  
 ther it be good or evil; When all Hypocritical Masks, Dis-  
 guises, Carnal State-policies of pretended Necessity, Publick  
 Safety, Danger, Justice; with all other Machiavillian un-  
 righteous Practices to gild over the most unrighteous, impi-  
 ous, oppressing, bloody, treasonable, perfidious publick  
 Actions, will prove but so many Aggravations of Politi-  
 cians Crying Sins, and of their eternal punishments for  
 them.

To draw towards a conclusion; I shall recommend to  
 the whole English Nation, and all cordial well-wishers to  
 the Prosperity, Peace, Settlement of our distracted King-  
 doms, Churches, and endangered Religion, either in or  
 out of power, these five Considerations more, which  
 have deeply affected my Spirit, and particularly engaged  
 me in this Undertaking, for their better information, and



our common preservation from total and final impendent ruine.

(a) *Watsons*  
*Quodlibet* 59.  
*Quod. A. 1. 10*  
p. 332.

*Nota.*

1. That (a) *Father Parsons*, the trayterous English Jesuite and his *Jesuitical society*, some years since prophesied: *That they have it by revelation, that by special commandment from God, their ORDER AND SOCIETY* was miraculously instituted for this end, to work a DISMALL CHANGE amongst us: that the time is come, WHEREIN ALL LAWS, CUSTOMS AND ORDERS MUST BE ALTERED, AND ALL THINGS TURNED UPSIDE DOWN: and that they, being the only men that have the name, office and authority of *Iesus*, BY THEM IT IS, THAT THIS MARVELLOUS CHANGE & ALTERATION SHALL BE WROUGHT, in such sort, AS FROM THE BEGINNING OF THE WORLD WAS THE LIKE NEVER HEARD OF BEFORE TO THIS PRESENT. And may we not then justly suspect, fear, conclude, that all our late dismal changes, and turning all things upside down in our Church, State, Kingdoms, Parliaments, were originally promoted, contrived by the *Jesuites*, and effected by the seduced Officers and Souldiers, as their deluded instruments? And can we then cry them up for such transcendent rich Mercies, Deliverances, Pledges of Gods Love and special Favours to our Kingdom, Nation; as some now Proclaim them to the world, because themselves have gained so much unrighteous Power, Treasure, Possessions for the present, by these changes and ruines of our Kingdome? Or shall we peremptorily deny them to be originally contrived, promoted by the *Jesuits*, and immediately effected by their seduced Instruments, because they have been likewise brought to passe by Gods own permissive Providence, in Wrath, Justice, as a deserved punishment for our manifold crying finnes (not in Mercy towards us) as *Hosea* 10. 3. c. 14. 5. c. 13. 1, 2, 3, 7, 8, 9, 14, 16. *Prov.* 28. 2. *Isa.* 17. 1. to 11. *Ezech.* 17. 12, 10 24. c. 23. 3. to 17. 1 *Sam.* 8. throughout. 2 *Chron.* 11. 13. to 19. c. 25. 20, &c. *Ier.* 18. 7, 8. c. 17. 25, 26, 27. c. 22. 4. to 13. *Dan.* 2. 21. c. 5. 26. 17 31. *Isa.* 19. 2, 3, &c. fully resolve? Surely, as Gods  
per.

permissive, and saving, over-ruling Providence; and not maye  
justly nor extenuate the guilt of any Traytors, Rebels, Mur-  
derers, Conspirators, Sinners, Traitors, Rebellions, Murders,  
Regicides, Conspiracies, Rapines, Oppressions, or Wicked  
Devises, which he permits them to plot, and accomplish;  
so it doth in no wise excuse them in Gods or Mens eyes  
from being the true Original Plotters, Contrivers, and imme-  
diate Instrumental Actors of them; nor from the divine or  
humane Punishments which they in justice deserve; as is most  
evident by Gen. 10. 15. 22. Psal. 37. 7. 9. Prov. 24. 10,  
21, 22. Job 20. 3, 6, &c. 1 Kings 12. 12. 10. 25. c. 15. 23.  
10. 30. c. 16. 1. 10. 30. specially ver. 7, 8. 2 Kings 11. 1. 10.  
17. c. 14. 3, 6. c. 15. 8. 10. 32. c. 17. 21, 22. 1 Sam. 8.  
2 Sam. 1. 2. 10. 17. c. 4. throughout. Hos. 1. 4. c. 8. 4, 5.  
Isay 29. 15, 16. c. 10. 5, 6, 7, &c. Acts 1. 16. 10. 24. c. 2.  
23. 1 Thess. 2. 14, 15, 16. Mat. 27. 3, 4, 5. compared to-  
gether. And if we should look upon all our late Changes,  
Revolutions in our Kingdoms, Government, Church, Parlia-  
ments, Religion, Laws, (wrought by the Jesuites and their  
Instruments) as the meer wonderfull immediate Productions  
and Glorious Operations of God himself in the World, and upon  
the instruments employed in them, only as Gods own precious  
chosen Saints and Servants, accomplishing nothing but his owne  
determinate Will, Providence, Connet, (though to satisfy their  
own ambition, covetousnesse, malice, rapine, blood-thir-  
stinesse, lusts) as many now proclaim them, and not as  
Conspirators, Treacherous, Perfidious, Pernicious Malesac-  
tors in the highest degree, as well as Jack Cade, Wat Tyler,  
Strafford, Canterbury, or the murderers of our Saviour, Je-  
shu, Ishotheth, with other Kings heretofore, and of Henry  
the 3. and 4. of France, of late; there should then be no  
Traytors, Conspirators, Murderers, Sinners, Traitors, Con-  
spiracies, Murders, Sinnes, in the world (being all perpetra-  
ted by Gods permissive Providence) no Law, nor Hell to pu-  
nish them: and it would be no more than a direct resisting,  
fighting against God and his Providence, for any Christians,  
Kingdoms, Kings, or Loyal Subjects, to pray against, resist,  
oppose the Treasons, Murders, Conspiracies, Vsurpations,

Rebellions, Innovations, Plots, of any Jesuits, or Romish Emisseries, or their under-Agents, against our Kings, Kingdoms, Governors, Parliaments, Laws, Liberties, Government and Religion: which would be professed Blasphemy, or Frenzy at least, for any man to affirm.

2. That this Jesuite Parsons in his *Locky of the Reformation of all the States of England*, as he prescribed Reforms to the Prince, Court, Counsellors, Noblemen, Bishops, Prelates, Pastors, Universities, Lawyers, Laws, in which he will have STRANGE METAMORPHOSES; so likewise THE COURT OF PARLIAMENT HE WILL HAVE BROUGHT TO BETTER FORM, as W. W. (a secular Priest) in *A Dialogue between a Secular Priest and a Gentleman*, printed at Rheims, An. 1601. p. 95. Wasson in his *Quadrilateral*, p. 92. to 96. 320. to 334. William Clark (a secular Priest in his *Answer to Father Parsons Libel*, p. 75. &c.) in direct terms attest. And may we not then justly suspect, that the late New-models and Reforms of our Kingdoms, Parliaments, Government, Laws, &c. (originally promoted by our Army Counsels, and Officers) proceeded primarily from the Jesuites Projections & Plots against them, if the Statutes of 23 Eliz. c. 1. 27 Eliz. c. 2. 35 Eliz. c. 2. 3. Jac. c. 1, 2, 4, 5, 7. 7 Jac. c. 6. and the manifold Declarations of both Houses of Parliament, *Exact Collection*, p. 491, 492, 497, 498, 616. 631, 666, 698, 813, to 828. may be judges?

3. That the Jesuites drift directly is (immediately by means of) CONQUEST intended for England) to bring it and all Christendom into an uproar, FOR COMMON SOLDIERS TO EXAMINE THEIR SOVERAIGNS, WHAT TITLE THEY HOLD BY; that thereupon themselves by craft, money and multitudes gathered together through their Policy, may bring England, (and then) Spain, and all the rest under their subjection and Monarchy: And that principally by this Jesuitical Position; That every Precopie or Tartarian multitude, getting once the stile and title of a PUBLIC STATE, or HELVETIAN COMMONWEALTH, may alter, change and innovate the course of inheritance

\* See their printed Declarations of June 14. 23. Aug. 1. 2. 1647. Their Agreement of the People, Jan. 1648. & Government of the Commonwealth of England, 1654. moulded by them.

\* Do not many now boast, talk, write of such a Conquest by the Army over England?

hereditary and successions TO CROWNS AND KINGDOMS, and also to every private Persons heretofore holden in Fee-simple; as (b) William Warburton assures us in these very (b) Quodlibets, terms. And whether the Jesuits have not instructed our Army Officers and Common Soldiers upon this pretext, and for this very end, to examine their Sovereigns, yea, our Parliaments Titles, Priviledges, and Powers too of late, and dispose of, reject, suppress them as their pleasure; let themselves, the whole Nation, with all in present power, in the fear of God, most seriously consider, without passion or affection, before it be over-late.

4. That the Oathes of Supremacy and Allegiance (which all Members of Parliament ought by Law to take, before they can sit, or vote as Members) specially made and prescribed by our most wise, zealous (c) Protestant Parliaments, to prevent the Treasonable plots and designs of Popes, Jesuits, and Papists, against our Protestant Princes, Realm, Parliament, Religion, though confirmed by many Statutes, and containing in them only the Declaration of such a Duty, as every true and wellaffected Subject, not only by the bond of Allegiance, but also by the COMMANDMENT OF GOD, ought to bear to the King, his Heirs and Successors; and none but persons infected with Popish Superstition formerly oppugned, (as the Prologue of the Statute of 7 Jacobi c. 6. positively resolves) have by late State innovators, not only been discontinued, suspended, but declaimed against and repealed (as much as in them lay) as (d) UNLAWFUL OATHS; the old Lawes against Jesuits and Popish Seminaries, discontinued, abrogated, or coldly executed. (e) The New Oath for abjuration of Popery, with all Bills against Jesuits and Papists, presented to the late King by both Houses the last Parliament, and by him consented to in the 1<sup>st</sup> of Wight, wholly laid aside, and quite buried in oblivion. The Solemn Protestation, League and Covenant, prescribed by the last Parliaments taken by all the well-affected in all the 3 Kingdoms (so (f) prevent the dangerous plots of Papists, Jesuits, and our common enemies to destroy our Religion, Churches, Realm, Government, Parliaments, Laws, Liberties) quite

(c) 1 Eliz. c. 1.

5 Eliz. c. 1. 1 Jac.

c. 4. 3 Jac. c. 4.

5. 7 Jac. c. 6. 16

Carol. The

Act for Trien-

cial Parliam-

ments.

\* See J. E. his

Right & Juris-

diction of the

Prelate and

the Prince y

cap. 15. Becau-

se Bellarmine,

Lessius, Euda-

mon Johannis,

& others a-

gainst this

Oath.

(d) See the

printed Edicts

repealing the,

& enforcing

the Engage-

ment, An. 1649

(e) See the

Propositions

for the Tre-

aty.

(f) See the

Preface to the

Covenant.

anti

(g) See the Edicts for the Engagement, An. 1649. antiquated, despised, detested, and a (g) New Engagement forcibly imposed under his best penalties and disabilities upon all men, diametrically contrary to these Oaths, Protestations, and Covenants, which have been (by a new kind of Papal power) publicly dissented with, and the people absolved from them, to become sworn Homages to other new self-created Lords and Masters. And are not all these, with the late Proclaimed Universal Toleration and Protection of all Religions, to confiderate zealous Protestants, strong Arguments of the Jesuites Predominancy in our late counsels, transactions, and changes of publike Government?

5: That the Nation of THE PRESENT GOVERNMENT, (in my weak apprehension) derived its original from the Jesuites late-invented (h) PRESENT CHURCH, the only Supreme Power and Judge of Controversies, which all men must submit unto, by a meer absolute blind Obedience, and implicit faith, without dispute by their determination: as they must do, by a like Jesuitical blind obedience (newly taught and obtruded on us) to that present Republican Government, and new Optimacy, and Popularity, lately set up instead of our Monarchy. Which two forms of Government, and ways of a King and Monarchy, as they are the punishment of a peoples sins, and the Transgressions of a Land by Gods own resolution, not a Mercy. Hosea 10. 3. c. 1. 4. Jer. 18. 7. Prov. 28. 2. Ez. 19. 14. Lam. 4. 20. c. 5, 7, 8, 12. so they were the inventions of Faction Grecians at first, who put all their Cities into Combustions, fury, frenzy, and civil wars against each other, to their utter overthrow in conclusion: witness these verses of (i) Herulochius, a Greek Comedian:

Tum gemina ad illas accesserunt Mulieres (TITAS QUÆ CUNCTA CONFURBARUNT: OPTIMÆ Et nomen alteri: alteri POPULARITAS; (RUNT. Quarum incitatu PRIDEM EXTERNATÆ FU-

So the Jesuits, (k) Parsons, (l) Campanella, (m) Car. Rich. lienz, designed to introduce & set them up amongst us in Engl. Scotl. and Ireland, of purpose to divide, destroy us by civil wars and combustions, and bring us under their Jesuitical power at last.

as the marginal Authorities declare to all the world. And if this be undeniable to all having any sense of Religion, Peace or publick Safety left within their breasts, is it not more than high time for us to awake out of our former lethargy, & fordid, selfish stupidity, to prevent our ruine, by these and other forementioned Jesuitical practises? Or can any Englishman, or real Parl. be justly offended with me for this impartial discovery of them? Or for my endeavours to put all the dislocated Members and broken bones of our old inverted fundamental body Politick, into their <sup>due places, joints and pos-</sup> *Opianū qui- dem est, si modo Respublica sol- va et incolumis futura sit, ut Civitatis partes omnes quidem sibi consent, in suoq; statu per- maneant. At ut presentis statu gaudeant, Reges Regia dignita- tis splendore commoveantur, Optimates Sc- natoria, bac enim illis pro virtutis sua premio est: po- pulus Ephoria.* *Aristor. Polir.* *l. x. c. 7.*

These five Considerations, together with the Premises; will I presume sufficiently wipe off all the malicious scanda- lous Imputations, which *Militiere* and other *Papists*, have injuriously cast upon the Principles and chief Professors of our Reformed Religion, in relation to the late exorbitant Proceed- ings against the King, Parliament, the publike Revolutions, Confusions, Ataxies both in our Church & Kingdoms; and retort them on the Jesuitical, Papal, seditious, Treasonable, Antimonarchical Principles and Professors of their Religion, especially the Jesuits and French Cardinals (*Militiere* his late Lords and Masters) the original Contrivers, and chief stand- still Promoters of them, as every day more and more disco- vers to the world. And withall abundantly justifie this my undertaking & impartial discovery of Jesuitical plots to ruin our Church, Religion, Kingdoms, Parliaments, Laws, Liberties, Government, against all malicious Enemies, Accusers, Malign- ners whatsoever, before all the Tribunals of God or Men, where I shal be ready to justifie them upon all occasions. In perpetual testimony whereof, I have hereunto set my Hand, and by Gods Grace shall ever be ready to seal them and the truth of God with my blood, if called out to do it.

Swainswick, Aug. 12. 1654.

William Prynn.







**A Seasonable Legal and Histori-  
call PINDICATION and Chronological Col-  
lection of the good Old Fundamental Liberties,  
Franchises, Rights, Laws of all English Freemen  
(their best Inheritance, Birth-right, Security, a-  
gainst all Arbitrary Tyranny, Egyptian Slavery and  
Burdens) of late years most dangerously under-  
mined, oppugned, and almost totally subverted,  
under the specious feigned Disguise of their De-  
fence, Enlargement, and future Establishment up-  
on a sure Basis.**

**T** is an universall received Principle, and  
experimentall truth, beyond all contradi-  
ction, That no naturall structure, no artificial  
building, no Cioill or Ecclesiastical Corporati-  
on, Realm, Republike, Government, or Society  
of men; no Art or Science whatsoever, can  
possibly be erected, supported, established, preserved or continued  
in their being or well-being, without FOUNDATIONS;  
Whereby, as they were at first erected, so they must neces-  
sarily still depend, or else they will presently fall to utter  
ruine.

**B**

Hence

Hence it is (to wave all Humane Authorities in so clea-  
 a verity) that in Gods own sacred uttering a word  
 1 John 17. 37. Truth, we finde frequent mention of the naturall & Foun-  
 2 Cor. 6. 7. dations of the vast naturall Fabrick of the Earth, Heavens  
 Ephes. 1. 12. and world itself, of the Architecturall Material e Founda-  
 Jam. 1. 18. tions of the Material Temple, Wall, City, of Gods own  
 21 Sa. 22. 8. 16. famous Jerusalem; and of private Houses: of the  
 Job 38. 4. 6. spirituall Foundations of the Spiritual Temple, City, Jeru-  
 Ps 18. 11. & 102. 15. sals, and whole Church of Gods: even Jesus Christ him-  
 5. Pro. 8. 29. 11. self: of Doctrinall e Foundations, and first Principles of Re-  
 24. 18. & 40. 21. ligion, Christianity, Salvation: yea, of the Politicall Foun-  
 & 48. 13. & 51. dations of Kingdomes, Republicks, Churches, Governements,  
 13. 16. Zech. 12. 1. States: Which being once shaken, undermined, subver-  
 1. Mic. 1. 6. Job. 17. 24 Eph. 4. 4 destroyed, bring unavoidable ruine and  
 Heb. 1. 10. & 4. 3. & 9. 26 defoliation upon them, (Ps 11. 3. Ps 82. 5. Jer. 50. 17.  
 1 Pet. 1. 20 & 1 Kin. 1. 17 & 6. 37 & 7. 9. 10 & 31. 23. 26. Mic. 1. 6. 7. 19.) Even as we daily see Castles,  
 6. 37 & 7. 9. 10 & 31. 23. 26. Walls, Houses to fall instantly to the ground, and be-  
 Ear. 4. 13 & 6. come a heap of Confusion, when their Foundations are  
 3. Ps 137. 7. blown up, decayed, or demolished.  
 Ezech. 41. 8. Upon which consideration, those publick Laws, which  
 Hag. 2. 8. establish, fence, fortifie, support the Fundamental Con-  
 Zech. 4. 9. & 8. stitutions, Rights, Liberties, Priviledges of any Nation,  
 9. Mat. 7. 26. 27. Kingdom, Republike, (essentially to their being and sub-  
 Luke. 6. 48. 49. sistence) as a free or happy people, against the Invasions, in-  
 d Isa. 28. 16. & 54. 11. Ps 87. 1. fringements, encroachments of any Tyrants, Usurpers, Oppres-  
 1 Cor. 3. 10. 11. sors, or publick enemies, are usually filled Fundamentall  
 12. Heb. 11. 10. 12. Laws, and have ever been reputed so sacred, inviolable, in-  
 1 Pet. 2. 6 Rev. 19. 21. 14. 19. mutable, in all ages, upon any pretences of necessity,  
 2 Tim. 1. 12. Heb. 6. 1. 2. publick safety, that most Nations, and our own English  
 f Jer. 50. 15. resists above others, have freely chosen to hazard, to  
 Mic. 1. 6. 7. lose their estates, lives, in their just defence, against such  
 Luke 6. 48. 49. orbant tyrannical Kings, and other Powers, who by force  
 Matt. 7. 26. 27. or policy have endeavoured to violate, alter, or subvert them  
 rather than out of a Cowardice, Sottishnesse, Carelesnesse, or  
 want of cordial love to the Publike, to suffer the least in-  
 fringement, repeal, or alteration of them to the introwling  
 of themselves or their posterities to the arbitrary will  
 of such domineering Tyrants and Usurping Powers.

Now



An Abhorred, detested, and execrable Crime, and yet we see with us, as if we were in a foreign Land, our common Liberties, our ancient Privileges, our Rights, our Freedoms, our Properties, our Estates, our Lives, our Honour, our Reputation, our Credit, our Interest, our Liberty, our Freedom, and all the Rights of Englishmen, are all sold out, and all the Rights of Englishmen, are all sold out, and all the Rights of Englishmen, are all sold out.

\* See the Government of the Commonwealth of England, &c. Art. 3. 12. 11. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

And because I find the generality of the Nobility, Gentry, Clergy, Commonalty of our Nation, after all their long years experience of many wars, and Parliamentary Disputes, for the defence and preservation of their own ancient Liberties, Fundamental Characters, Laws, Liberties, Privileges, so strangely degenerated both in mind and man, and their Heroick prudent Ancestors, as that they are more readily inclined upon every occasion, out of a false and christian, unmanly, un-english, un-english, un-english, and un-english, voluntarily to deliver their Liberties, their Lives, their Estates, their Properties, their Honour, their Reputation, their Credit, their Interest, their Liberty, their Freedom, and all the Rights of Englishmen, into the hands of any invading Tyrant, without the least Publick Claim, Disputation, Defence, Dispute, they diligently or courageously to contend or suffer for them, as late they did: So is that which Paul once said to the slaves before d Corinthians, 2 Epistle, 20. may be most truly ascribed of our degenerated, intemperate English Nation: We suffer if a man bring you into bondage, if a man devour you, if a man take of you, if a man crush himself (above your Laws, Liberties, Franchises, Parliaments, Kingdoms, Nobles, Properties, Lives, Conscience, and all that is called God or worshipped) if a man (with your consent, and withstanding all their manifold late & present Breaches of the Covenant, Remonstrances, Declarations, and publick Engagements to the contrary. And withall, after diligent enquiry, discovering scarce one man of Honour or Power in the Nation, nor so much as one of my degenerated temporising

\* 2 Thess. 2. 4.

\* See Essex Collect. and a General Collection of all Ordinances, &c.

JOHN PROCTOR





for, with the Prodigal expence of many millions of treasure, and whole Oceans of gallant Christian English Men.

And if upon the serious perusal of these, the unspeakable fallacy of our degenerated Nations, after their solemn Protestations, Vows, Leagues, Compacts, Acquisitions, Inviolably to defend and maintain them, shall still so undervalue them now at last, (as most actually have done) 'not to esteem them worth the owning, maintaining, vindicating, or perpetuating any longer, & thereby cast upon their heads, the real guilt of all those bloody Wars, Murders, Tumults, Violences, Rapines, Oppressions, Sins, Miscarriages, Illegal Taxes, Excesses, Exorbitancies, which their many late years pretended necessary defence and preservation have brought upon our three whole Nations; let them henceforth, like so many dastardly conquered worldlings, bare down the ens, publicly disavow, disclaim, renounce, abjure them, for themselves and their posterities for ever, as meer worthless, pernicious insensations, fit only to kindle perpetual wars and discords between King and People, head and members, superiours and inferiours; or, as poor tender Cattle, (as now they prove) able to hold none with compass, but the very weakest Flies, broken thorow with ease and impunity, by every greater Fly, or armed Wolf, creeping up into any Power or Supreme Authority, right or wrong; and swept down to the very ground, by a very new Brood in the hand of upstart Innovators.

But if upon saddest deliberation, they shall really estimate them to be such incomparable, rich, precious Jewels, and ancient Inheritances, as are every way worth their finite Treasures, Wars, Blood, Cares, Consultations, Troubles, heretofore and of late years expended, both to gain, retain, confirm, and perpetuate them, to them and their Posterities for ever, as their principal earthly security, and dearth; I hope they will all then unanimously conclude with the Poet,

*Non minor est virtus quam quærere, PARTA TVERI.*

And both by their Vows and Actions, return the self-same  
per mp

peremptory unanimous answer to any *Calls, Conquerors, Patents, Powers, or Constitutions of men, whatsoever,* (who shall endeavour by force, fraud, or flattery to compel or persuade them, to sell, resign, betray, or give up their *rights, Liberties, Privileges, Inheritances, Birthrights to them*) as *Richard* once did to *King Abul King* 23. 24. *The Lord for his part, that we should give (sell or betray) the INHERITANCE OF OUR FATHERS* (and our *Posterities* likewise) *and he, or you, though they should suffer for this Answer and Refusal, as much as Nahab did from bloody Abul and Jezabel.*

But whatever *low price or estimate this flourish, rapid, forcible, smooth* may set upon these *Riches Pearls*; yet for my own particular; upon serious consideration of these *Chronological Collisions*, and the *Solemn Oaths, Promissions, Vows, League and Covenants*, obliging me to defend them to the uttermost; I value the whole *Nation publick*, and my own (with any *cordial friendly* private interest in them; at so *high a rate*, that I would rather cheerfully part with ten thousand lives, and all the treasures of the Nation, *Indies*, were I owner of them, than willingly, negligently, or unworthily sell, betray, or resign them up to any *mortals or powers whatsoever*, upon any pretences or Conditions, after all my former Publications, Confessions, Sufferings, Losses, &c. for their just defence. And to the end all others might now take special notice of the inestimable value our *Ancestors* in all ages have set upon them, and what successive wars, conflicts, they have cheerfully undertaken for their preservation; I have at various times compelled this ensuing *Vindication and Collection* of the *old Fundamental Liberties, franchises, laws of all English freemen*, which I shall bequeath to my most beloved *Native Country*, in general, and every real *Hereditary Person* of them in particular; as the last *Legacy* I can leave behind me, both for their present and future *Emfranchisement, Immunity, security*, from all *Arbitrary Tyranny, Slavery and yokes of Bondage*; under which they have a long time languished, and lamented in the language of their spirit.

The

The Method I resolve herein to pursue, is this

1. I shall produce some small Authorities of Argument to evidence, That the Kingdome and Kingdom of England, have from ancient Hereditarie Rights, Liberties, Priviledges, Franchises, Laws and Customs, powerfully called **FUNDAMENTAL**, and likewise a Fundamental Government, whereby to be altered, undermined, subverted, totally or in part, to the publique prejudice, under pain of highest Treason, who shall attempt it, especially by fraud, force, or armed power.

2. I shall, in brief Propositions, present you with the chiefeft and most considerable of them, which our Ancestors in former ages, and our latest real Parliaments have resolved to be, and eagerly contended for, as **FUNDAMENTAL**, essentiall to their being and well-being, as Free People, Kingdome, Republique, unwilling to be enslaved under any Token of Tyranny, any arbitrary Impositions or Powers whatsoever. Then give you a brief touch of their severall late unparalleled violations, both by the Edicts and Actions of usurping Powers.

3. I shall in a Chronological way, tender you a large Historical Catalogue of National, Parliamentary, civil and military Contests, Votes, Declarations, Remonstrances, Oaths, Vows, Protestations, Covenants, Engagements, Excommunications, Confirmations, Evidences, Statutes, Charters, Writs, Records, Judgments and Authorities in all ages, undeniably evidencing, declaring, vindicating, establishing, perpetuating these Fundamental Hereditarie Rights, Liberties, Priviledges, Franchises, Customs, Laws, and abundantly manifesting the extraordinary care, industry, zeal, courage, wisdom, vigilance of our Ancestors, to defend, preserve, and perpetuate them to posterity, without the least violation or diminution.

4. I shall vindicate the excellency, indifferency, and legality of trying all Malefactors whatsoever, by Juries of their Peers, upon legal Process and Indictments; and manifest the illegality, injustice, partiality, dangerous consequences of admitting or introducing any other form of Trials, by New, Arbitrary Martiall Commissions, or Courts of High Justice

also, (or rather, *because*) inconsistent with, and destru-  
ctive to the Liberties, Privileges, Laws,  
Franchises, &c. of our People, and of most dangerous  
Prejudice to the Liberty, being set up by the great Pri-  
nciples of Liberty, Law, and the chief Inveiglers  
against Arbitrary Royal Tyranny and Power, which ne-  
ver publicly established such arbitrary illegal Trials and  
new Masters of Christian English Freeman, by any law,  
and may fall to imitate them in future Ages, by their ex-  
ample. Each of these I intend to prosecute in distinct  
Chapters in their order.

\* Summum jus,  
est summa in-  
juria, Cic. de  
Officiis p. 611.

# CHAP. I.

1. For the first of these: That the Kingdom and Freeman  
of England, have some ancient Hereditary Rights, Liber-  
ties, Privileges, Franchises, Laws and Customs, properly cal-  
led FUNDAMENTAL; and likewise a FUNDAMEN-  
TAL GOVERNMENT; no wayes to be altered, under-  
mined, subverted, directly or indirectly, under pain of High  
Treason in those who shall attempt it; especially by fraud,  
force, or armed power.

I shall confirm the first part of it, by these ensuing pun-  
tual Authorities of moment, against those *traiterous*  
late published Pamphlets, which professedly deny it, and  
endeavour, a total abrogation of all former Laws, to set up  
a New model and Body of the law, to rule us for the future,  
according to their pleasures.

The first is, the expresse words of the great Charters of  
the Liberties of England, granted by King John, Anno 1215.  
in the 16 year of his Reign: Regranted and confirmed  
by King Henry the third, in the 9 year of his Reign, and  
sanctified thence afterwards: and by King Edward the first,  
in the 29 and 30 years of his reign: Wherein these three  
Kings successively, by their several great Charters, under  
their great Seals, did grant, give, and confirm, to all the Nobles,  
Bishops,

\* Lilbourn tried  
and cast p. 39,  
40, 142, to 148  
and elsewhere.  
John Canned a  
Voice from  
the Temple.  
John Rogers  
Mene Tegel,  
Peregr. p. 6.  
Lilly and Cul-  
peper in their  
Prognosticati-  
ons An. 1653,  
p. 1654. See  
the Armes Pro-  
phets.

By, Clergy, and Prochein of the Realm of England, for themselves and their Heirs for ever, the several customs, liberties therein contained; to have and to hold them, to them and their Heirs, from th. m and their Heirs for ever. Concluding their Charters thus: *All these Customs and Liberties aforesaid, which we have granted to be holden within this our Realm, as much as opportunitie to Us and our Heirs, we shall observe. And all men of this our Realm, as well Spiritual as Temporal (as much as in them is) shall observe the same against all persons in likewise. And we have granted unto them, that neither we nor our Heirs, shall procure or do any thing whereby the Liberties in these Charters contained, shall be infringed or broken: We ratifying and approving these Gifts, and Grants aforesaid, confirm and corroborate all the same, for Us and our Heirs perpetually; and by these presents (as the later Charters run) do renew the same: willing and granting, (For us and our Heirs, that these Charters and all and singular therein contained, for ever shall be stedfastly, firmly, and inviolably observed.*

Sir Edward Cook (that reverend learned Judge and Professor of our Laws) in his Preface to his *Second Institutes*, and p. 2. and 77. thereof, wherein he Comments on this great Charter, (printed by two Orders of the House of Commons in Parliament, dated 12. May 1641. and 30. June 1642. Resolves in direct terms, That the great Charter, was for the most part declaratory of the principle grounds of the Fundamental Laws of England: That these words therein, [For us and our Heirs for ever] were added, to avoid all scruples; That this great Parliamentary Charter might live and take effect in all succession of Ages for ever. A clear resolution, that the principal Liberties, Customs, Laws, contained in these great Charters, and ratified by them, are both **FUNDAMENTAL, PERPETUAL, & UNALTERABLE**, being since confirmed in all points by near forty several special Acts of Parliament in succeeding Parliaments; and likewise by the Solemn Oathes of our King, Nobles, Judges, great Officers, and of the People too; (all several times sworn to defend and maintain the same) and by

fun.

undry solemn Encommunications against the infringers or contemners of them in any kinde; as I shall prove more fully in the third Chapter.

The second is the proouall resolution of the whole Parliament of a Jacobi; even in a Printed Act of Parliament chap. 2. and of King James himself, in his Speech thereon, as is evident by this Prologue to that Act. Wherein his most excellent Majesty hath been plentiful of great wisdom and judgement; not only to represent unto us, by his own prudent and Princely Speech, in the first day of this Parliament, how much he desired (in regard of his inward and gracious affection to both the famous and ancient Reulms of England and Scotland, now united in Allegiance and Loyall Subjection IN

HIS ROYALL PERSON, TO HIS MAJESTY AND HIS POSTERITY FOR EVER) that by a speedie, mature and sound deliberation; such a sature Union might follow, as should make perfect but mutual love, and uniformity of manners and Customs; which Almighty God in his Providence, for the strength and safety of both Realms, hath so farre already begun in apparent fruits of all the world; but also hath vouchsafed to expresse many wayes, how far it is, and EVER SHALL BE FROM his Royall and sincere care and affection to the subjects of England, TO ALTER OR INNOVATE THE FUNDAMENTALL AND ANCIENT LAWS, PRIVILEDGES, and GOOD CUSTOMES OF THIS KINGDOME; whereby not onely HIS ROYAL AUTHORITY, but THE PEOPLES SECURITY OF LANDS, LIVINGS, and PRIVILEDGES (both in general and particular) ARE PRESERVED AND MAINTAINED; and by the ABOLISHING or ALTERATION of the which, it is impossible, but that present confusion will fall upon the whole State and Frame of this KINGDOME, OR in which memorable clause, these fourthings are observable.

1. That the Kingdome and People of ENGLAND have Fundamentall, ancient good Laws, Priviledges, and Customs. 2. That these are no wayes to be ALTERED, or INNOVATED; and that it alwaies hath been,

See 1 Jac. c. 1  
3. Jac. c. 1. 4.  
7 Jac. c. 6.



is, and ever shall be, far from the thoughts and intentions of all good Kings, Governours and Parliament, who bear a sincere care and affection to the Subjects of England, to alter or innovate them. 3. That by these ancient good Laws, Priviledges and customs, not only the Kings Regall Authority, but the peoples Security of lands, livings, and priviledges, (both in general and particular) are preserved and maintained. 4. That by the abolishing or altering of them, it is impossible, but that present confusion will fall upon the whole state and frame of this Kingdom. Which I with all true-wits and New-Modellers of our Lawes and Government would now as last say seriously to bear, and the whole Kingdom and English Nation fully consider, who have found it an experimental truth of late years, and no imaginary signed speculation.

5. The third is, The Remembrance of the whole House of Commons in Parliament, delivered in Writing to King James in the Parliament of 7. James, Anno 1610. which begins thus:

To the Kings most Excellent Majesty,

Most Gracious Sovereign,

See the 1 and 6  
Proposition in  
cap. 2.

Whereas we your Majesties most humble Subjects, the Commons assembled in Parliamente, having received first by Message, and since by speech from your Majesty, a Command of restraint, from debating in Parliament your Majesties Right of imposing upon your Subject Goods exported out of, or imported into this Realm, yet allowing us to examine the grievance of these impositions, in regard of quantity, time, and other circumstances of disproportion thereto incident. We your humble Subjects nothing doubting, but that your Majesty had no intent by that command, to infringe the ancient and fundamental Rights of the Liberty of PARLIAMENT, in point of exact discussing of all matters concerning them and their Possessions, Goods, and Rights whatsoever: Which you we cannot but conceive to be done in effect by this Command; Do with all humble Duty make this Remonstrance to your Majesty.

First,

First, we hold it an Ancient, general and undoubted Right of Parliament, to debate freely all matters, which do properly concern the Subject and his Rights or Estate: which freedom of debate being once fore-closed, the essence of the Liberty of Parliament is withall dissolved, &c.

Here the whole House of Commons, in a speciall Remonstrance to King James, (printed and published by Order of a Committee of the House of Commons for licensing of Books, dated 20. Julij 17. Caroli 1641.) Declare, resolve, vindicate and maintain, one principal, ancient, fundamentall, general, undoubted right of the Liberty of Parliament, against the Kings intrenchment on it: Of which should they be but once fore-closed, the Essence of the Liberty of Parliament is withall dissolved.

And peradventure it may not be unworthy the most serious disquisition of the next ensuing nominal or real Parliament, to examine, whether some clauses and restrictions in the 9. 10. 14. 16. 17. 21. 22. 24. 25. 27. 30. 32. 33. 34. 37. 38. 39. 40. Articles (or strings) of the New Instrument intituled, The Government of the Common-wealth of England, Scotland, and Ireland, and the Dominions thereto belonging; as it was publicly declared at Westminster the 16. day of December 1643, &c. do not as much, may far more intrench upon the ancient Fundamental & General undoubted Rights and Liberty of Parliament, and parliamentary free debate, to the dissolution of the Essential liberty of all future Parliaments, as this Command of King James did, once the Bishop of Winchester imposed on the Clergy in and by the Convocation, June 16. 40. ever did; and this clause in the Clerges Oath then made, (now "initiated" by others, who condemned it) I. A. B. do swear, that I will never give my assent nor alter the Government of this Church, by Arch-Bishops, Bishops, Deans and Arch-Deacons, &c. as it stand now established; and as by right it ought to stand. Which clause and Oath imposed one by on the Clergy now.

\* See the Contents of the Common-wealth of England, &c. and 11. the words and printed words for new Bishops, and enforced new Test and Government imposed on the new Kingdoms and new members, scattering many of them.

Resolved by the whole House of Commons and Peers too, in Parliament, without any dissenting voice, December 26. 1640. to be a most dangerous & illegal Oath, contrary

to the Rights and Privileges of Parliament, and to the Fundamental Laws and Statutes of the Realm; and of dangerous consequence: the contriving whereof was objected to the late Archbishop of Canterbury in his original Articles of High Treason, for which amongst other things he lost his head.

The fourth is the notable Petition of Grievances of the whole House of Commons in Parliament presented to King James in the seventh year of his Reign; after their Vote against his Right, to levy Impositions on goods imported, or exported, without assent and grant of Parliament, in these ensuing words.

The Policy of this your Majesties Kingdomes, appropriates unto the Kings of this Realm, with assent of Parliament, as well the Sovereign power of making Laws, as that of taxing or imposing upon the Subjects Goods or Merchandises, wherein they have justly such a property, as may not without their consent be altered or changed: this is the cause, that the people of this Kingdome, in they have & ever shewed themselves faithfull and loving to their Kings, and ready to aid them in all just occasions, with voluntary contributions: so have they been ever careful to preserve their own Liberties and Rights, when any thing hath been done to prejudice or impeach the same. And therefore when their Princes, either occasioned by war, or by their own bounty, or by any other necessity, have without consent of Parliament set on Impositions, either within the Land, or upon commodities exported or imported by the merchants, they have in open Parliament complained of it, in that it was done without their consents, and thereupon never failed to obtain a speedy and full redresse, without any claim made by the Kings, of any Power or Privilege in that point. And though the Law of property be original, and carefully preserved by the Common Law of this Realm, WHICH ARE AS ANCIENT AS THE KINGDOME ITSELF, yet those famous Kings, for the better contentment and assurance of their loving Subjects, agreed, THAT THIS OLD FUNDAMENTAL RIGHT (observe the words) should be further declared, and established by Acts of Parliament, wherein it is provided, That no such Charge shall ever be

laid

See Proposition  
1, in ch. 2.

Nota.

\* O how are  
they now dege-  
nerated!

\* And should  
they not be so  
now then?

\* And should  
we now at last  
fall herein?

\* How dare  
then any self  
created powers  
who are nei-  
ther Kings nor  
Parliaments  
now arrogate  
to themselves,  
or exercise such  
a super-Regal  
arbitrary  
power and  
Privilege,  
against all our  
Laws and  
their own in-  
strument and  
oaths.

laid upon the People, without their common Consent, as may appear, by sundry Records of former times.

We therefore your Majesty's most humble Commons assembled in Parliament, following the example of our worthy care of our Ancestors, and out of our Duty to those for whom we serve, finding that your Majesty, without advice of your Lords and Commons, both jointly (in times of Peace) Set both greater Impositions, and farre more in number, than any your Noble Ancestors did ever in time of Warre, do with all humility present this most just and necessary Petition unto your Majesty, **THAT ALL IMPOSITIONS SET WITHOUT ASSENT IN PARLIAMENT, MAY BE QUITE ABOLISHED AND TAKEN AWAY.** And that your Majesty likewise, in imitation of your Royal Progenitors, will be pleased, that a Law in your time, and during this Session of Parliament, may be made, to declare, That all imposition of any kind, set, or to be set upon your people, their Goods or Merchandises, save onely by common Consent in Parliament, are and shall be Void; wherein your Majesty shall receive Give your Subjects great Satisfaction in point of their Right; but also bring exceeding joy and comfort to them, who now suffer partly through the abating of the price of Native Commodities, and partly through the raising of all Foreign, to the overthrow of Merchants, and shipping, the causing of general dearth, and decay of all wealth among your people; who will be thereby no lesse discouraged, then disabled to serve your Majesty when occasion shall require. In which memorable Petition the whole House of Commons resolve in direct terms, **That the Subjects of England have old original Fundamental Rights (and more particularly) in the Property of their Goods, exempted from all Impositions whatsoever, in times of peace or war, without their common consent in Parliament; declared and established both by the ancient and common law of England and sundry Acts of Parliament, and records of former times.** They declare the constant vigilant care, zeal of our ancestors and former Parliaments in all ages, inviolably to maintain, defend, preserve the same, against all encroachments, en-

Nota.

And oh that we would follow it now again, both in and out of Parliament?

Nota.

with their own care, duty and vigilancy in this kind in that very Parliament. 3. They relate the readiness of our Kings to ratifie these their *Fundamental Rights* by new *Acts of Parliament*, when they have been violated in any kinde. 4. They declare the benefit accruing both to Prince and People, by the inviolable preservation and establishment of this old *Fundamental right*, and the mischief accruing to both by the infringement thereof, by arbitrary illegal impositions, without full consent in Parliament. 5. They earnestly (in point of Conscience, prudence, and duty to those for whom they served) Petition his Majesty, for a new *Law and Declaration*, against all new Impositions and Taxes on Inland Goods, or Merchandises imported or exported, without the peoples free consent in Parliament, as null, void, utterly to be abolished and taken away: Whether it will not be absolutely necessary for the whole *English Nation*, and the next ensuing National, or reall Parliament, to prosecute, enact, establish such a Declaration and Law against all such former and future arbitrary, illegal, oppressive Taxes, Impositions, Excises, that have been imposed and continued for many years together on the whole Kingdom, by \* new extravagant, self-created, usurping **ARMY OFFICERS**, and other Powers, without free and full consent of the people in Lawfull English Parliaments, against all former Laws, Declarations and Resolutions in Parliaments, to their great oppression, enslaving, undoing, in far greater proportions, multiplicity, and variety, than ever in former Ages, without the least intermission; and likewise against their late declared designe, to perpetuate them on our exhausted Nation, without alteration or diminution; (beyond and against all precedents of former Ages) both in times of Peace and War, for the future, by the 27, 28, 29, 30, 39. Articles of the Instrument entitled, *The Government of the Commonwealth of England*, &c. Present to their most serious considerations to determine, if ever they resolve to be *English Freeman* again, or to imitate the wisdom, prudence, zeal, courage,

\* See the white-hall Ordinances for the six months Contribution, Excise, till 1656. Tunnage & Pannage till 1658. beyond all Precedents in any age, and the very words and letter of the 30 Article of their government,

courage and laudable examples of their worthy Ancestors, from which they cannot now degenerate without the greatest Infamy, and endangering of themselves with their Posterities for ever, to the injury and wile of present and future posterity on their Fundamental Rights and Liberties, in an higher degree then ever in any precedent Age, under the grace of Conquerors or Kings, since all that late, costly, bloody Wars, for their Defence against our late late King.

5 The sixth is, a learned and necessary Argument made in the Common House of Parliament, Anno 7. Jacob. in prose, That each Subject hath a Property in his Goods, shewing also, the extent of the Kings Prerogative in Impositions upon the Goods of Merchants, exported or imported, &c. by a late learned Judge of this Kingdom, printed at London by Richard Bishop, 1641, and Ordered to be Published in Print, at a Committee appointed by the Honorable House of Commons, for examination and Laying of Duty, 20. Mart. 1641. In which Parliamentary Argument, p. 2. 12. 16. I finde these direct Passages: That the New Impositions contained in the Book of Rates, imposed on Merchandizes, imported and exported by the Kings Prerogative, and Letters Patents, without consent in Parliament, it against the natural Frame and Constitution of the Policy of this Kingdom, which is, *ITS PUBLICUM REGNE*, AND SO SUBVERTETH THE FUNDAMENTAL LAW OF THE REALM, and introduceth a new Form of State and Government: Can any man give me a reason, why the King can only in Parliament make Laws? No man ever read any Law, whereby it was so ordained; and yet no man ever read, that any King promised the contrary; therefore IT IS THE ORIGINAL RIGHT OF THE KINGDOME, AND THE VERY NATURAL CONSTITUTION OF OUR STATE AND POLICY, being one of the highest Rights of Sovereign Power. If the King alone out of Parliament may dispose, HE ALTERETH THE LAW

Nota.

\* Yet those who have pulled down our Kings as Tyrants, now presume to do it, without their own White-hall

Law and Ordinances, amounting to near 400. pages in folio in a few months space. And do not those do so, who have by Monthly Taxes, Excises, Customs and New Duties on us daily out of Parliament, and that for many months and years yet to come, against the Letter of their own Instrument and Oath too?

D

OF



OF ENGLAND IN ONE OF THESE TWO MAIN FUNDAMENTAL POINTS; he must either take the Subjects Goods from them, without assent of the Party, which is against the law, or else he must give his own Letters Patents the force of a law, to alter the property of the Subjects goods, which is also against the Law.

In this and sundry other Arguments (touching the Right of Impositions) in the Commons House of Parliament by the Members of it, arguing against them, it was frequently averred, and at last Voted and Resolved by the House, 7. Jacobi. That such Impositions without consent in Parliament, were \* **AGAINST THE ORIGINAL FUNDAMENTAL LAWS AND PROPERTY OF THE SUBJECT**, and Original Right, Frame and Constitution of the Kingdom; as the Notes and Journals of that Parliament evidence: An expresse parliamentary Resolution in point, for what there assert.

6. The sixth is, A Conference desired by the Lords, and held by a Committee of both Houses concerning the Rights and Privileges of the Subject. 3. Aprilis 4. Caroli 1628. entered in the Parliament Journal of 4. Caroli, and since printed at London 1642. In the Introduction to which Conference, Sir Dudley Digges by the Commons House Order, used these expressions: My good Lords, whilst we the Commons, out of our good affections, were seeking for money, we found, I cannot say a Rock of the Law, but many A FUNDAMENTAL POINT THEREOF NEGLECTED AND BROKEN, which hath occasioned our desire of this Conference: wherein I am first commanded to shew unto your Lordships in general: That the Laws of England are grounded on Reason more ancient than Books, consisting much in unwritten Customs; yet so full of Justice and true Equity, that your most honorable Predecessors and Ancestors propounded them with a \* **NOLUMUS MUTARI**, and so ancient, that from the Saxons dayes, notwithstanding the injuries and ruines of time, they have continued in most parts the same, &c. Be pleased then to know, THAT IT IS AN UNDOUBTED AND FUNDAMENTAL POINT OF THIS SO ANCIENT COMMON LAW

OF

\* And are they  
not so now?

20. H. 3. c. 9.  
See Cooks 2. l. 1.  
Sir. p. 97. p. 1.

Hart. 2. d. W.

1. d. 1. 1. d. 1. 1.

1. d. 1. 1. d. 1. 1.

1. d. 1. 1. d. 1. 1.

TO

G

OF ENGLAND, THAT THE SUBJECT HATH A <sup>Proposition 1, 4</sup> TRUE PROPERTY IN HIS GOODS AND POSSESSIONS, which doth preserve as sacred, that *MEUM* and *TUUM*, that is the Nurse of Industry, and the Mother of Courage, and without which, there can be no Justice, of which *MEUM* and *TUUM* is the proper Object. But the *UNDOUBTED BIRTH-RIGHT OF FREE SUBJECTS*, hath lately not a little been invaded and prejudiced by pressures, the more grievous, because they have been pursued by *IMPRISONMENT*, contrary to the Franchises of this Land, &c. <sup>Proposition 12</sup> Which the Commons House proved by many Statutes and Records in all ages, in that Conference, to the full satisfaction of the Lords House, since published in print.

7. The Seventh is, The Vote the \* whole House of \* <sup>See Carter-Commons, 16 December 1640. Nulla contradicente, enterbaries Doom, red in their Journall, and printed in Diurnall Occurrences, page 13. That the Canons made in the Convocation Anno 1640. ARE AGAINST THE FUNDAMENTAL LAWS OF THE REALM, the Property and Liberty of the Subject, the Rights of Parliament, and containe diverse things tending to Faction and Sedition. Seconded in their Remonstrances of 15. December 1641.</sup>

8. The eight Authority is, \* The Votes of both Houses of Parliament, concerning the security of the Kingdom of ENGLAND and Dominion of Wales, 19. Marcell 1641. Ordered by the Lords and Commons in Parliament to be forthwith printed and published (as they were then by themselves, and afterwards with other Votes and Orders) Resolved upon the Question, *nemine contradicente*; That in case of extreame danger, and his Majesties refusal, the Ordinance agreed on by both Houses for the MILITIA (to secure the Houses, Members and Priviledges of Parliament and Kingdome against ARMED-VIOLENCE, since brought upon them by the MILITIA of the Army) doth oblige.

the people, and ought to be obeyed, by the **FUNDAMENTAL LAWS OF THIS KINGDOM**. A very vain and delusory Vote, if there be no such Law, or form now extant.

\* *Exam. col.*  
p 850, 854,  
887, 888.

The ninth punctuall Authority is, \* A Second Declaration of the Lords and Commons assembled in Parliament, concerning the Commission of Array; Printed by their speciall Order of 12. January 1642. Wherein are these observable passages, The main drift of all the answer is to maintain, That the King by the Common Law may grant such a Commission of Array, as this is, upon this ground, because its for the Defence of the Kingdom: And, that the power, which he hath to grant it by the Common Law is not taken away by the Petition of Right, or any former Statute, but the King notwithstanding any of them, may charge the Subject for Defence of the Kingdom. So as the charge imposed came not to himself, nor to his particular advantage.

See Chap. 3.  
Proposit. 1, 2, 3.

These grounds thus laid, extend not to the Commission of Array alone, but to all other charges that his Majesty shall impose upon his Subjects, upon pretence of Defence of the Kingdom: for there is the same reason of Law for any other charge that is pretended for Defence, as for this. If his Majesty by the Common Law may charge his Subject to finde Arms, and other things in the Commission enjoyed, because they are for Defence of the Kingdom; by the same reason of Law, he may command his People to build Castles, Forts and Bulwarks; and after to maintain them with Garrisons, Arms, and Munitions, at their own charges. And by the same reason he may compel his subjects to finde Ships, and furnish them with Men, Ammunition and Victuals, and to finde Soldiers pay, \* Coat and Conduct money; provide victuals for Soldiers, and all other things **NECESSARY FOR AN ARMY**: these things being as necessary for Defence, as any thing that can be done in execution of this Commission. And farther exposition of the Petition of Right and other Statutes therein used (if it should bold) such it was overthrow, as well the Petition it self, as all other Laws that have been made for the subject benefit of such Taxes and other charges, either in this or any other Parliaments?

\* Do not the Army Officers now oblige them to all this without a Parliament, to support their usurped new Powers and Possessions, and establish them in a most absolute Sovereignty over our three Kingdoms?

These

These Privileges thus laid down and maintained, Do make Note, the Fundamental Laws of the Kingdoms (the ancient Birth-right of every Subject) for the Property of his Goods, and Liberty of his Person: Nay, they bring at the rate of Parliaments: What need his Majesty call Parliaments, to provide for Defence of the Realm, when himself may compel his Subjects to defend it without Parliaments? If these grounds should hold, what need the Subjects grant subsidies to Parliament for Defence of the Kingdom in time of real danger; if the King for Defence at any times, when he shall only conceive apprehended danger; may impose Charges upon his Subjects without their Consent in Parliament?

Upon that which hath been said in this and our former Declaration, we doubt not but all indifferent men will be satisfied, that this Commission of Array, in full of danger, and inconsequence to the Subjects of England, AND AGAINST THE FUNDAMENTAL LAWS OF THE LAND, for the PROPERTY OF GOODS, AND LIBERTY OF PERSON, &c. As it is against THE FUNDAMENTAL LAWS OF THE REALM; so justice makes it good, &c. And the Lords and Commons do upon the whole matter here conclude, That they are very much aggrieved, that after so many Declarations and solemn Protestations made by his Majesty to rule by the known Laws of this Land, his Majesty by advice of his ill Counsellors should be persuaded to set such a Commission on foot, which is so clearly contrary TO THE FUNDAMENTAL LAWS OF THIS LAND, the Rights of Property, and Liberty of the Subject, contrary to former resolutions of Parliament, and to the Petition of Right.

I am certain, the generality of the Nation are now as much and more aggrieved, that some, who were Parties to this Declaration, and others, who have made as many as more Declarations, & Protestations as his Majesty ever did, to rule by the known Laws of the Land; should since this, set on his Majesty in the like, nay greater, more exorbitances in the Militia, Excises, Taxes, Impositions, Imprisonments

The exorbitances reach to them at which ballow, who presume to impose Taxes, Customs, Excises and make binding laws and Instruments for our whole Kingdoms, Nations, Parliaments, which no King there ever did in this narrow, nor their Subjects in any age.

ments, arbitrary extravagant proceedings, capital executions in new created Courts of Injustice, and whole volumes of new binding Ordinances, as they term them, and their ill-sounding Instrument, obliging all our three Nations, both for the present & all future ages, in <sup>\*</sup>their intentions as diametrically contrary as the Kings Commissions of Array, to the Fundamentall Laws of the Land (four times together so styled and insisted on, as such, in this one Declaration of both Houses) the Right of Property of the Subject, contrary to former Resolutions, and the Petition of Right yea (which is most abominable) to their own Declarations, Remonstrances, Votes, Protestations, Vows, Solemn Leagues and Covenants in Parliament, to their own eternal Infamy, as well as the peoples intolerable oppression and slavery; who thereupon may justly conclude and protest against them, as both Houses did in the close of this Declaration against the Array, viz. <sup>\*</sup>And the Lords and Commons do and shall adhere to their former Votes & Resolutions, That all those that are Actors in putting of this Commission of Array (these Instruments, Ordinances new Taxes, Imposts, Excises) in execution, shall be esteemed disturbers of the Peace of the Kingdome, and of the Properties and Liberties of the Subject.

<sup>\*</sup>A Collection of all publick Orders, Ordinances, and Declarations of Parliament, p. 451, 452, 457, 458.

<sup>\*</sup>How have others of late (which they stile Parliaments) been converted?

10. The tenth Evidence is, <sup>\*</sup>the Vote and Letter of both Houses of Parliament sent to his Majesty at Oxford, 9. March 1643. in Answer to his Majesties, of the third of March; and wherein there is this passage: We the Lords and Commons assembled in the Parliament of England, &c. Have resolved, with the concurrent advice and consent of the Commissioners of Scotland, to represent to your Majesty in all humility and plainnesse as followeth; That this present Parliament convened, according to the known and <sup>\*</sup>FUNDAMENTAL LAWS OF THE KINGDOME (the continuance whereof is established by a law consented to by your Majesty) is in effect & denied to be a Parliament, &c. And hereupon

we  
no longer  
T. H. A. J. 1643

we think our selves bound to let your Majesty know; That since the continuance of this Parliament is settled by a Law, (which as all other laws of your Kingdome, your Majesty is sworn to maintain, as we are sworn to our Allegiance to your Majesty, those Obligations being reciprocal) we must in duty, and accordingly are resolved, with our Lives and Fortunes, to Defend and preserve the just Rights and full Power of this Parliament: To which the Earle of Essex (then General) by both Houses order, in his Letter to the Earle of Forth January 30. 1643. adds this Corolary. My Lord, the maintenance of the Parliament of England, and the Privileges thereof, is that for which we are resolved to spend our blood, as being **THE FOUNDATION WHEREON ALL OUR LAWS AND LIBERTIES ARE EVILT**: Which both the Lords and Commons assembled in Parliament, in their Declaration 23. March 1643. touching their proceedings upon his Majesties Letter, concerning a Treaty of Peace, (wherein this Earls former letter is recited) thus second: The Parliament of England is the only Basis, the chief support and Pillar of our Laws and Liberties, &c. And if notwithstanding all these Obligations, the King shall at his pleasure dissolve this Parliament, the Kingdome is not onely deprived of the present, but made incapable of enjoying the benefit of any future Parliament, or Law, any longer than shall stand with the will and pleasure of the King: and consequently **THE FUNDAMENTALS OF ALL OUR LAWS AND GOVERNMENT ARE SUBVERTED**. Let the Parliament, purging, securing, sequestering, dissolving Officers Army, and their Confederates, seriously ponder this, yea let all the whole English Nation and their Trustees who shall hereafter sit in Parliament, consider and reform it in the first place, if ever they expect any Freedom, free Parliaments, Peace, settlement, enjoyment of their Fundamental Laws, Rights, or Liberties for the future, depending on our Parliaments Freedom, and exemption from all force and violence on its Members.

Yea seriously dissolved by the Army, and some again in Power, against their Commissions, Oaths, Trusts, Protestations, Covenant, and an Act of Parliaments for their continuance, who may do well to peruse this clause. See c. 2. Proposition 6, 7.



\* A Collection  
of p. 504.

The eleventh is, the *Ordinance of both Houses of Parliament*, 13. Junii 1644. For the Forces raised in the County of Salop, which begins thus: "The Lords and Commons assembled in Parliament, taking into their serious considerations, the great Oppressions under which the Inhabitants of the County of Salop lie, by reason the insupportable Taxes, &c. and the present condition of the County, by reason of the great number of Irish Rebels that have invaded it, and joyned with Papists and other ill affected Persons, now in those parts, which threaten the extirpation of the Protestant Religion, and the subversion of the FUNDAMENTAL LAWS and GOVERNMENT OF THE KINGDOM. For prevention whereof, &c. A direct Ordinance in point.

\* A Collection  
of c. p. 877,  
878, 879.

The twelfth is, *a Declaration of the Commons of England, assembled in Parliament*, 17. Aprilis 1646. "Of their true Intentions concerning the ANCIENT and FUNDAMENTAL GOVERNMENT OF THE KINGDOM, securing the people against ALL ARBITRARY GOVERNMENT, &c. wherein they complain, "That the Enemy being in despair to accomplish his Designs by War, do mis-represent our Intentions in the use we intend to make of the great successes God hath given us, and the happy opportunity to settle Peace and Truth in the three Kingdoms; to begot a belief that we now desire to excite, or swerve from our first Aym's and Principles in the undertaking of this War, and to recede from the Solemn League and Covenant, and Treaties between the two Kingdoms; and that we would prolong those uncomfortable troubles, and bleeding distractions, IN ORDER TO ALTER THE FUNDAMENTAL CONSTITUTION AND FRAME OF THIS KINGDOM, to leave all Government in the Church loose and unsettled; and our selves to exercise THE SAME ARBITRARY POWER OVER THE PERSONS and ESTATES OF THE SUBJECTS, which this present Parliament hath thought fit to abolish, by taking away the Star-Chamber, High-Com-

\* And is not all this now proved a real experimental truth, in some of these Remonstrants, to their shame?

Commission, and other arbitrary Courts, and the exorbitant Power of the Council Table, (all which we have seen experimentally verified in every particular, in the highest degree, notwithstanding this Declaration, by some in late and present power, and new White-hall Council Tables, exceeding the old in illegal Taxes, Law-makings and other extravagances :) All which being seriously considered by us, &c. We do declare, THAT OUR TRUE and REAL INTENTIONS ARE, and OUR ENDEAVOUR SHALL BE, to settle Religion in the purity thereof, \* TO MAINTAIN THE ANCIENT and FUNDAMENTAL GOVERNMENT OF THIS KINGDOM, TO PRESERVE THE RIGHTS and LIBERTIES OF THE SUBJECT, to lay hold on the first opportunity of procuring a safe and well grounded peace in the three Kingdoms, and to keep a good understanding between the two Kingdoms of England and Scotland, according to the grounds expressed in the Solemn League and Covenant : And lest these generals should not give a sufficient satisfaction, we have thought fit, to the end men might no longer be abused in a misbelief of our intentions, or a misunderstanding of our actions, to make a further enlargement upon the particulars.

And first, Concerning Church-Government, &c. because we cannot consent to the granting of an Arbitrary and unlicensed Power and Jurisdiction, to near ten thousand Juridictories to be erected within this Kingdome, and this demanded in such a way, as is not consistent with the FUNDAMENTAL LAWS and GOVERNMENT OF THE SAME, &c. Our full resolutions still are, sincerely, really and constantly to endeavour the Reformation of Religion in the Kingdoms of England and Ireland, in Doctrine, Worship, and Government, according to the word of God, and the example of the best Reformed Churches, and according to the Covenant. WE ARE \*SO FARRE FROM ALTERING THE FUNDAMENTAL GOVERNMENT OF THIS KINGDOM BY KING, LORDS and COMMONS, that we have onely desired, that with the consent of the King, such Power may be settled in the TWO HOUSES, without which we can have no assurance

And can most of these Remonstrants in late or present Power, now say this in truth or reality? and must not they be utterly ashamed, confounded before God and man, when they consider how they have dissimbled, perjured with God and men herein, in each particular?

And can the new Modellors of our Government ever, who were parties to this Declaration, or then Members of the Commons House, say so now? or read this without blushing and self-abbhorrence?

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but

but that the like, or greater mischiefs, than those which God hath hitherto delivered us from, may break out again, and engage us in a second and more destructive war; whereby it plainly appears, Our intentions are not to change the Ancient Frame of Government within this Kingdome, but to obtain the end of the Primitive Institution of all Government, The safety and weal of the People; not judging it wise or safe, after so bitter experience of the bloody consequences of a \* pretended Power of the Militia in the King, to leave any colourable authority in the same, for the future attempts of introducing AN ARBITRARY GOVERNMENT OVER THIS NATION. We do declare, That we will nor, nor any by colour of any Authority derived from us, shall interrupt the \* ordinary course of Justice, in the severall Courts of Judicature of this Kingdome, nor intermeddle in the cases of private Interest other where determinable, unless it be in case of male-Administration of Justice; wherein we shall see and provide, that Right be done, and punishment inflicted, as there shall be occasion, ACCORDING TO THE LAWS OF THE KINGDOME.

Lastly, Whereas both Nations have entered into a Solemn League and Covenant; we have, and EVER SHALL BE VERY CAREFULL DULY TO OBSERVE THE SAME: that as nothing hath been done, SO NOTHING SHALL BE DONE BY US REPUGNANT TO THE TRUE MEANING AND INTENTION THEREOF, &c. WHO WILL NOT DEPART FROM THOSE GROUNDS AND PRINCIPLES, upon which it was framed and founded.

Though the generality of the (afterwards,) secured and secluded Majority of the House of Commons, endeavoured constantly to make good this Declaration in all particulars; yet how desperately the garbled Minority thereof, continuing in power after their Seclusion, prevaricated, apostatized, and falsified their Faith herein in every particle, in the highest degree, we cannot but with greatest grief of heart, and detestation remember, to the subversio-

on.

\* Is not a superintendent power in the Army over, above & against the Parliament or People, far more dangerous & likely to introduce such an arbitrary Government in the Nation, if left in the General Officers & their Councils power?

\* Did not the imposing a Strange New Engagement, and sundry arbitrary Commissions of Indemnity, &c. interrupt it in the highest degree; and the misnamed high Courts of Justice, falsify this whole clause?

on, ruine of our King, Lords, Commons, Kingdome, Parliaments, Fundamentall Laws, Government, and the peoples Liberties, &c. almost beyond all hopes of restitution or reparation in humane probability; without a miracle from heaven. The Lord give them grace most seriously to consider repent of, and really, sincerely reform it now at last, and to make it the principle subject of their prescribed publike Humiliations, Fasts and Lamentations; as God himself prescribes; Isa. 58. 5, 6, 7, 8. Jer. 34. 8. to 22. Ezech. 19. 1, 14. Hos. 10. 3, 4. and not still to adde drunkenness to thirst, lest they bring them to temporall and eternal condemnation for it in Gods own due time; and engender endless Wars, Troubles, Taxes, Changes, Confusions in our Kingdome, as they have hitherto done and will do till all be restored to their just Rights, Powers, Places, Possessions and Liberties.

By this full Jury of Parliamentary Authorities, to omit many others, of *\*like, or \*inferiour nature, and lesse moment,* it is undeniable: That the people of England, have both ancient Fundamentall Rights, Liberties, Franchises, Laws, and a Fundamental Government, which like the Laws of the Medes and Persians, neither may nor ought to be altered, or innovated upon any pretence, but perpetually maintained, defended, with greatest care, vigilancy, resolution; and he who shall deny or oppugn it, deserves no refutation by further arguments, since it is a received Maxime in all Arts, *Contra Principia negantem non est disputandum;* but rather demerits a sentence of Condemnation and publike execution at Tyburn, as a Common Enemy, Traitor to our Laws, Liberties, Nation; being no lesse than a transcendent crime, and High Treason by our Laws, for any person or persons, secretly or openly, to attempt the undermining or subversion of our fundamental laws, rights, Liberties, Government, especially by fraud, treachery, force of armed power and violence (the later part of my first proposal) which I shall now confirm by these twelve following Presidents and Evidences; corroborating likewise the former part, That we have such Fundamental laws, liberties, rights, franchises, and a fundamental Government too.

*\* Exact Collect.*

*24. 12. 34. 61.*

*243. 160. 321.*

*500. 502.*

*\* See the hum-*

*france against*

*the illegall Tax*

*of Ship-money*

*briefly discus-*

*sed, p. 2. &c.*

*Englands birth*

*right & their*

*Treatises. The*

*Declaration of*

*the Army under*

*his Command,*

*tendered to the*

*Parliament,*

*June 14 1647.*

*concerning the*

*Just and Fund-*

*amental*

*Rights and Li-*

*berties of the*

*Kingdome.*

\*Walsingham,  
Stow, Holinshed  
Speed, Grafton,  
Tyrrell,  
Baker in 5 R. 2.  
John Stows  
Survey of London  
p. 89. 10101  
Mr. St. Johns  
Argument at  
Law, at Straff-  
fords Attainder  
p. 14.

In the sixth year of King Richard the second, the vulgar  
rabble of people and villous, in Kent, Essex, Suffex, Norfolk,  
Cambridge-shire and other Counties, under the Conduct of  
Wat Tyler, Jack Straw and other Rebels, assembling toge-  
ther in great multitudes (occasioned at first by the newly  
invented Tax of Poll-money, granted by Parliament, and  
the over-rigorous levying thereof, on the people, by the  
Kings Officers (though nothing so grievous as our Exche-  
quer, Contributions, & new Imposts now, so long exacted  
without any legal Grant in true, free and full English  
Parliaments.) resolved by force and violence, to abrogate the  
law of Villenage, with all other laws they disliked, formerly set-  
tled; to burn all the Records, kill and behead all the Judges, Jus-  
tices, and men of law of all sorts, which they could get into their  
hands; to burn and destroy the Inns of Court, (as they did then  
the new Temple, where the Apprentices of the law lodged, burn-  
ing their Monuments and Records of Law there found) to alter  
the tenures of lands, to devise new laws of their own, by which  
the Subjects should be governed: to change the ancient Heredi-  
tary Monarchicall Government of the Realm, and to erect petty  
elective Tyrannies and Kingdomes to themselves in every shire.  
(A project eagerly prosecuted by some Anarchicall Ana-  
baptists, Jesuits, Levellers, very lately.) and though withall  
they intended to destroy the King at last, and all the Nobles too,  
when they had gotten sufficient power; yet at first to cloak  
their intentions from the people, they took an Oath of  
all they met; *Quod Regi & Communibus fidelitatem ser-  
vant;* that they should keep Allegiance and Faith to the  
King & Commons: Yea, Wat Tyler demanded a Commis-  
sion from the King, to behead all Lawyers, Eschequiers, and  
others whatsoever that were learned in the laws, or communi-  
cated with the law by reason of their Office, conceiving in  
his minde, that this being brought to passe, all things after-  
wards would be ordered according to his own and the common  
peoples fancy. And he made his vaunt, putting his hand to  
his own lips; That before foure dayes came to an end, ALL  
THE LAWS OF ENGLAND SHOULD PROCEED  
FROM HIS MOUTH. (Which some of late times  
seem

seem to speak not only in words, but deeds, by their manifold new laws and Edicts, repealing or contradicting our old) This their resolution and attempt thus to alter and subvert the Laws and Government, upon full debate in the Parliament of 5. R. 2. n. 30. 31. was declared to be High-Treason against the King and the Law, for which divers of the chief Actors in this Treasonable Designe, were condemned and executed, as Traitors, in severall places; and the rest enforced to a publike submission, & then pardoned. Let these imitators now remember this old President.

2. In the \*Parliament of 11. R. 2. (as appears by the Parliament Rolls and printed Statutes at large) three Privy Councillours, the Archbishop of York, the Duke of Ireland, and the Earl of Suffolk, the Bishop of Exeter, the Kings Confessor, five Knights, six Judges (whereof Sir Robert Tresilian Chief Justice was one) Blake, of the Kings Council at Law, Viscount, and others, were impeached and condemned of High Treason, some of them executed as Traitors, the rest banished, their lands and goods forfeited, and none to endeavour to procure their pardon, under pain of Felony; for their endeavouring to overthrow a Commission for the good of the Kingdome, contrary to an Act of Parliament, by force of Arms, and opinions in Law delivered by these temporizing Judges and Lawyers, to the King, (through threats and terrour at Nottingham Castle) tending to subvert the Laws and Statutes of the Realm, overthrow the Power, Priviledges and proceedings of Parliament, and betray (not \*all the House of Lords, but only) some of the Lords of Parliament. Which Judgement being afterwards reversed in the forced and packed Parliament of 21. R. 2. was reconfirmed in the Parliament of 1. H. 4. c. 3. 4. 5. and the Parliament of 21. R. 2. totally repealed, and adnulled for ever, and hath so continued. Read Statut. at large.

3. In the \*Parliament of 17. R. 2. n. 20. and Pas. 17. R. 2. B. Regis Rot. 16. Sir Thomas Talbot was accused and found guilty of High Treason, for conspiring the death of the Duke of Gloucester, Lancaster, and other Peers, who maintained the Commission confirmed by Act of Parliament, 10. R. 2.

E 3.

and.

\* The Statutes at large, Stow, Holinsbed, Speed, Graffian, Baker. Tynssel, in 10 & 11 R. 2. & 1 H. 4. M. St. Johns Speech concerning the Shipmony Judges p. 28. to 37. and argument at Law, at Strafsford Attainder. As some of late years have done.

M. St. Johns argument at Law, at Strafsford Attainder p. 13, 14, 17



and assembling people in a warlike manner in the County of Chester, for effecting of it, in destruction of the estates of the Realm, and the Laws of the Kingdome.

\* Hall, Fabian  
Holinshed,  
Speed, Grafiox,  
Stow, Martin,  
Baker.

4. In the \* 29. year of King Henry the sixth, Jack Cade, under a pretence to REFORM, alter and abrogate some laws, Purveyances and Extortions importable to the Commons where- upon he was called JOHN AMEND ALL ) drew a great multitude of Kentish people to Black-beath, in a warlike manner, to effect it : In the Parliament of 29 H. 6. c. 1 this was adjudged High Treason in him and his Complices, by Act of Parliament : and the Parliament of 31. H. 6. c. 1. made this memorable Act against him, and his Imitators in succeeding ages; worthy serious perusal and consideration by all, who tread in his footsteps, and over-act him in his Treasons.

Whereas the most abominable Tyrant, horrible, odious, and errant FALSE TRAYTOR, John Cade, calling himself sometimes Mortimer, sometime Captain of Kent, (which Name, Fame, Acts and Feats, be to be removed out of the speech and minde of every faithfull Christian man perpetually ) falsely and traiterously purposing and imagining the perpetuall destruction of the KINGS PERSON and FINAL SUBVERSION OF THIS REALM, taking upon him \* ROYALL POWER, and gathering to him the Kings People in great number, BY FALSE SUBTIL IMAGINED LANGUAGE, and seditiously made a stirring Rebellion, and insurrection, UNDER COLOUR OF JUSTICE, FOR REFORMATION OF THE LAWS OF THE SAID KING, robbing, slaying, spoiling a great part of his faithfull people: Our said Sovereign Lord the King, considering the promises, with many other, which were more odious to remember, by advice and assent of the Lords Spiritual and Temporal, and at THE REQUEST OF THE COMMONS, and by Authority aforesaid, hath ordained and established, that the said John Cade shall be had, named and declared, A FALSE TRAYTOR, to our said Sovereign Lord the King; and that all his Tyranny, Acts, Feats, & false Opinions, shall be voided, abated, annulled, destroyed, and put out

\* And have not others of late assumed to themselves more Royal power than he? resolved to be Treason by 21. E. 3. Rot. Parl. & Cooks 3. Institui p 9.

of

of remembrance for ever. And that all Indictments and things depending thereof, had and made under the power of Tyranny, shall likewise be void, adnulled, abated, repealed, and bolden for none: and that the blood of none of them be defiled, nor corrupted, but by the Authority of the said Parliament clearly declared for ever. And that all Indictments in time coming, in like case, under power of Tyranny, Rebellion and stirring bad, shall be of no regard or effect, but void in Law: And all the Petitions & delivered to the said King in his last Parliament holden at Westminster, the sixth day of November the 29. of his Reign, against his minde, by him not agreed, shall be taken and put in Oblivion, out of Remembrance, undone, voided, adnulled and destroyed for ever, as a thing purposed against God and his Conscience, and against his Royal estate and preheminence, and also DISHONORABLE and UNREASONABLE.

To wit by Cade and his Confederates for the alteration of the laws

See Mr. St. Johns argument against

Strafford, p. 17. Halls Chronicle and Holmshed.

5. In the 8 year of King Henry the 8. William Bell, and Thomas Lucy, in the County of Kent, conspired with Thomas Cheney (the Hermit of the Queen of Fairies) TO OVERTHROW THE LAWS AND CUSTOMS OF THE REALM: for effecting whereof, they with 200 more met together, and concluded upon a course of raising greater forces in Kent, and the adjacent Shires; This was judged High Treason, and some of them executed as Traitors. Moreover, it was resolved by all the Judges of England, in the reign of Henry 8. that an Insurrection against the Statute of Laborers, or for the inbansing of Salaries and wages, or against any Statute, or to remove Councillors, or to any other end pretending Reformation of their own heads, was TREASON, and a levying war against the King, BECAUSE IT WAS GENERALLY AGAINST THE KINGS LAW, and the Offenders took upon them THE REFORMATION THEREOF, which Subjects by gathering of power ought not to do.

Cooks 3. Institutes p. 91 to.

6. On December 1. in the 21. year of King Henry the 8. Sr. Thomas Moore, Lord Chancellour of England, with fourteen more Lords of the Privy Council, John Fitz-James, Chief Justice of England, and Sir Anthony Fitz-Herbert,

Cooks 4. Institutes c. 8. p. 89. to 96.

Herbert, one of the Judges of the Common Pleas, exhibited sundry Articles of Impeachment to King Henry the 8. against Cardinal Wolsey: That he had by divers and many sundry wayes and fashions, committed High Treason, and NOTABLE GRIEVOUS OFFENCES, by misusing altering and subverting of his Graces Laws, and otherwise, contrary to his high Honour, Prerogative, Crown, Estate, and Dignity Royal; to the inestimable great hinderance, diminution and decay of the universal wealth of this his Graces Realm. The Articles are 43. in number, the 20, 21, 26, 30, 33, 37, 42, 43. contain, his illegal arbitrary practises and proceedings to the subversion of the due course and order of his Graces Laws, to the undoing of a great number of his loving people. Whereupon they pray, Please therefore your most excellent Majesty of your excellent goodnesse towards the Weal of this your Realm, and subjects of the same, to set such order and direction upon the said Lord Cardinal, as may be to terrible example of others; beware to offend your Grace, and your Laws hereafter: and that he be so provided for, that he never have any Power, Jurisdiction or authority hereafter, to trouble, vex or impoverish the common-wealth of this your Realm, as he hath done heretofore, to the great hurt and damage of every man almost, high and low. His \*poysoning himself prevented his legal judgement for these his Practises.

\* See Speed,  
Hollinshead,  
Grafton, Stow,  
Antiquitates  
Ecclesie Brit.  
p. 378. & 379.  
and Godwin  
in his life.

7. The Statute of 3. and 4. Ed. c. 5. 6. enacts, That if any persons, to the number of twelve or more, being assembled together, shall intend, go about, practise or put in use with force and arms, unlawfully of their own authority, TO CHANGE ANY LAWS made for Religion, by authority of Parliament, OR ANY OTHER LAWS OR STATUTES OF THIS REALM, STANDING IN FORCE, OR ANY OF THEM; and shall continue together by the space of an houre, being commanded by a Justice of Peace, Mayor, Sheriffe, or other Officer to return: or shall by ringing of any Bell, sounding of any Trumpet, Drumme, Horn, &c. raise such a number of persons, to the intent to do any the things aforesaid in ure, IT SHALL BE HIGH TREASON, and the parties executed as Traitors: After this

this the Commons of England, &c. Knights, Clergy, &c. &c. were to make aforefaid, full answer by force to either of the *Lower Statutes* if the King's *the offence* shall from the time therein limited, be adjudged **ONE**LY AS **PELONY**; whereas it was Treason before: But this was continually but till the next Parliament, and then expired, the offence remains Treason, as formerly.

6. In the 39. year of Queen Elizabeth, divers in the County of Oxford consulted together to go from house to house in that County, and from thence to London and other parts, to take arms for the deposing of the King, & to set up the *the Statute*, having more was prosecuted, nor assemblies made: year in Easter Term 39. Elizabeth, it was resolved by all the Judges of England, (who met about the Case) that this was High Treason, and a long war against the Queen, because it was to throw down all inclosures throughout the Kingdom, in which they could pretend no right: and that the end of it was, **TO OVERTHROW THE LAWS AND STATUTES** for inclosures. Whereupon **BRADSHAW** and **BURTON** (two of the principal Offenders) were condemned and executed at Ainstow Hill in Oxfordshire, where they intended their first meeting.

7. To come nearer to our present times and case: In the last Parliament of King Charles, *Ann. 1645.* The whole House of Commons impeached Thomas Earl of Strafford, Lord Deputy of Ireland, of High Treason, among other Articles, for this Crime especially: (wherein all the others centred) That he had **TREASONABLY ENDEAVOUR'D** by his Words, Actions and Counsels, **TO SUBVERT THE FUNDAMENTALL LAWS and GOVERNMENT OF ENGLAND and IRELAND**, and introduce an arbitrary and Tyrannical Government. This the whole Parliament declared and adjudged to be High Treason, in and by their Votes, and a special *Act of Parliament* for his Attainder; for which he was condemned, and soon after executed on Tower-Hill, as a Traytor to the King and Kingdom. *May 12. 1641.*

Mr. St. John's Argument at Law against Strafford p. 14. 16.

See the Journals of both Houses, &c. for his Attainder. Mr. Prynne's Declaration upon the whole matter of the Charge of High Treason, against him, April 13. 1641. Mr. St. John's argument at Law, at his Attainder, and Diurnal Occurrences.

See the Journals of both Houses, &c. for his Attainder. Mr. Prynne's Declaration upon the whole matter of the Charge of High Treason, against him, April 13. 1641. Mr. St. John's argument at Law, at his Attainder, and Diurnal Occurrences.

\* See the Commons and Lords Journals, his printed Impeachment, Mr. Pym's Speech thereat, Canturburies Doom 25, 26, 27, 38, 40.

See Chap. 3.

Proposition 1.

\* Do not others

now do it, who

impeached and

condemned him,

in an higher de-

gree then he?

\* Is it not so in

the New Instru-

ment Article 1.

23, 4, 5, 9, 10,

12, 13, 16, 21,

22, 24, 25, 26,

27, 28, 29, 30,

31, 32, 33, 34,

37, 38, 39, 40.

42. of our New

Government,

and those that

compiled and

prescribed it to

the 3 Kingdoms.

10. The whole House of Commons the same Parliament impeached \* William Laud Arch-bishop of Canterbury, of **HIGH TREASON**; In these very terms, February 1640.

First, That he hath traiterously endeavoured to subvert the Fundamental Laws and Government of this Kingdome of England, and instead thereof to introduce an arbitrary and tyrannical Government against Law, And he to that end hath wickedly and **TRAITEROUSLY** advised his Majesty, that he might at his own will and pleasure, levy and take money of his Subjects without **THEIR CONSENT IN PARLIAMENT**; and this be affirmed as warranted by the Law of God.

Secondly, He hath for the better accomplishment of that his Traiterous Designe, advised and procured Sermons and other Discourses to be preached, printed and published; in which the \* Authority of Parliaments, and the force of the Laws of this Kingdome have been denied, and absolute and unlimited Power over the Persons and Estates of his Majesties Subjects maintained and defended, not onely in the King, but in himself and other Bishops, against the Law.

Thirdly, He hath by Letters, Messages, Threats and Promises, and by divers other wayes to Judges, and other Ministers of Justice, interrupted, perverted, and at other times by means aforesaid hath endeavoured to interrupt and pervert the course of Justice in his Majesties Courts at Westminster and other Courts, **TO THE SUBVERSION OF THE LAWS OF THIS KINGDOME**, whereby sundry of his Majesties Subjects have been stopp'd in their just suits, deprived of their lawfull Rights, and subjected to his Tyrannicall will, to their ruine and destruction.

Fourthly, That he hath traiterously endeavoured to corrupt the other Courts of Justice, by advising and procuring his Majesty to sell places of Judicature and other Offices, **CONTRARY TO THE LAWS and CUSTOMES** in that behalf.

Fifthly, That he hath **TRAITEROUSLY** caused a Book of Canons to be compiled and published, with-

• contrary to the known and Authority in their behalf.  
 • in which pretended Cause many matters are contained,  
 • contrary to the Kings Privileges, to the Fundamental Laws  
 • and Statutes of this Realm; to the Rights of Parliament, to  
 • the Property and Liberty of the Subjects; and matters tending  
 • Sedition, and of dangerous consequence, and to the establish-  
 • ing of such, unlawful presumptuous power in himself, and his  
 • successors, &c.

• Are there not  
 • more such mat-  
 • ters contained  
 • in the new  
 • Instrument of  
 • Government  
 • than in those?

• Seventhly, That he hath cruelly endeavoured  
 • to alter and subvert Gods true Religion BY LAW ESTA-  
 • BISHED, and hath thereof set up Popish Reli-  
 • gion and Idolatry: And to that end hath declared, and  
 • maintained in Speeches and printed Books, diverse Po-  
 • pish Doctrines and Opinions, contrary to the Articles  
 • of Religion ESTABLISHED BY LAW. He hath urged  
 • and enjoined divers Popish and Superstitious Ceremo-  
 • nies WITHOUT ANY WARRANT OF LAW; and  
 • hath cruelly persecuted those who have opposed the  
 • same, by corporal punishment, and imprisonments;  
 • and most unjustly vexed others, who refused to con-  
 • form therunto by Ecclesiasticall Censures, Excommu-  
 • nication, Suspension, Deprivation, and Degradation,  
 • CONTRARY TO THE LAWS of this Kingdome.

• Have not ar-  
 • bitrary Commis-  
 • sions in such  
 • places done the  
 • like, or worse,  
 • in many cases?

• Thirteenth, He did by his own authority and power  
 • contrary to Law, procure sundry of his Majesties Sub-  
 • jects, and enforced the Clergy of this Kingdome to con-  
 • tribute towards the maintenance of the War against the  
 • Scots.

• Have not o-  
 • thers done the  
 • like in an high-  
 • er degree?

• That to preserve himself from being questioned, for  
 • these & other his Traiterous courses, he hath laboured  
 • to subvert the Rights of Parliament, and the ancient course of  
 • Parliamentary proceedings, (and have not the Army Offi-  
 • cers and others actually done it since upon the same  
 • account?) and by false and malicious slanders to in-  
 • cenſe his Majesty against Parliaments.

• All which being proved against him at his Trial, was  
 • after solemn Argument by Mr. Samuel Brown, in  
 • behalf of the Commons House, proved; and soon  
 • after



\* See the Commons and Lords Journals, Diurnal Occurrences, p. 155, 16 19, 37, 191 to 284, and Mr. St. John's Speech at a Conference of both Houses of Parliament concerning Ship money & these Judges, Together with the Speeches of Mr. Hyde, Mr. Waller, M. Peirpoint, M. Denzil Holles at their Impeachments, July 6. 1641. *aggv* waiting their offences, in Diurnal Occurrences and Speeches, p. 237 to 284.  
 \* How absurd is it to presume to do it: it is a violation of the constitution as it is consulting with the judges who condemned it in them.  
 See c. 2. Proposition 1.  
 \* Have not others been sole Judges of it, and other pretended dangers since?

after admitted, to be High Treason in the Common Law, in both Houses of Parliament, and so declared in the Ordinance for his Attainder: for which he was condemned and beheaded as a Traitor, against the King, Law and Kingdom, on Tower Hill, January 10. 1644.

11. In the \* same Parliament, December 21. Jan. 24. Febr. 11. 1640. and July 4. 1641. Sir John Finch, then Lord Keeper, Chief Justice Bramston, Judge Berkley, Judge Crawly, Chief Baron Davenport, Baron Weston, and Baron Trevor, were accused and impeached by the House of Commons, by several Articles transcribed to the heads of HIGH TREASON, for that they had traitorously and wickedly endeavored, to subvert the Fundamental Laws and established Government of the Realm of ENGLAND, and instead thereof to introduce an Arbitrary and Tyrannical Government against Law; which they had declared, by traitorous and wicked words, opinions, judgments, and more especially in this their extrajudicial opinion, subscribed by them in the case of Ship money, viz. We are of opinion, that when the good and safety of the Kingdom in general is concerned, and the whole Kingdom in danger; your Majesty may by Writ, under the Great Seal of England (without consent in Parliament) command all your Subjects of this your Kingdom, at their charge to provide and furnish such a number of Ships with Men, Victual and Ammunition, and for such time as your Majesty shall think fit for the Defence and safeguard of the Kingdom, from such danger and peril. And we are of Opinion, that in such case, your Majesty is the \* sole Judge both of the danger, and what, and how, the sum is to be provided, and provided And blameable for arguing and giving judgment accordingly, in Mr. John Hampden's case, in the said former Charter, in the point of Ship money, in April 1628, which said opinions, are destructive to the Fundamental Laws of the Realm, the Subjects Right of Property, and contrary to former Resolutions in Parliament, and the Statute of Rights; as the words of these several Impeachments run, Sir John Finch had the Realm, to preserve his head on his shoulders; some others of them that through fear, to prevent the danger, soon after their Impeachments, and the



entry into consultation with *conquerors*; one of these will  
 \* *unhappily* and *unwisely*: If the Privilege of the King  
 \* *overwhelm* the Liberty of the people, it will be turned into  
 \* *ruiny*; If Liberty undermine the Privilege, it will turn  
 \* *to Anarchy*. The Law is the safeguard, the custody of all  
 \* *private interests*: your *Honours*, your *Lives*, your *Liberties*,  
 \* *and your estates*, are all in the keeping of the Law: without  
 \* *this*, every man hath a like Right to any thing: and this is  
 \* *the condition* into which the Irish were brought by the Earl of  
 \* *Stratford*: (and the English by others who condemn  
 \* *him*) And the reason which he gave for it, hath more  
 \* *mischiefs* than the thing it fell: THEY ARE A CON-  
 \* *QUERED NATION*; (let those who now say the  
 \* *same* of England, as well as Scotland and Ireland, con-  
 \* *sider* and observe what follows) There cannot be a word  
 \* *more* *proper* and *fruitful* IN TREASON, than that word is.  
 \* *There are few Nations* in the world, that have not been con-  
 \* *quered*, and so done but the conqueror may give what Laws he  
 \* *please* to those that are conquered. But if the succeeding Par-  
 \* *ties* and *Agreements* do not shall and restrain that right, what people  
 \* *can be* *sever* England has been conquered, and Wales has  
 \* *been* *conquered*, and by this reason will be a little better than  
 \* *Ireland*. If the King by the Right of a Conqueror  
 \* *Lower* to his people, shall *use* the people by the same reason  
 \* *referred* to the Right of the conqueror, to recover their Li-  
 \* *ber*ty if they can? What can be more hurtful, more pe-  
 \* *n*icious, than such Propositions as these?

\* And did not  
 some at White-  
 Hall  
 do so of late,  
 and now too  
 witness their  
 volumes of  
 new Declara-  
 tions, Edicts, Or-  
 dinances there  
 made.

\* Have not o-  
 thers taken up  
 such Principles  
 in their prassi-  
 ses, proceedings  
 even against  
 Kings  
 Kingdoms,  
 Parliament,  
 Peers, as well  
 as private per-  
 sons?

\* It is dangerous to the Kings Person and dangerous  
 to his Crown: It is apt to rouse ambition, usurpation  
 and oppression in great men; and to beget sedition, dis-  
 content in the people, and both these have been, and in  
 reason must ever be great causes of trouble and altera-  
 tions to Prince and State. If the Histories of those  
 \* *foreign* Countries be perused, where Princes order their  
 \* *affairs*, according to the \* *mischievous* Principles of  
 \* *the* Earl of Stratford, *Loose* and absolved from all Rules  
 \* *Government*, they will be found to be frequent in com-  
 \* *bustions*, full of Massacres, and the tragical end of Prin-

1. If any man shall look into our own Stories, in the times when the Laws were not settled, he shall finde them full of Commotions, of Civill disorders, whereby the Kings that then reigned were alwaies kept in want and distress, the people continued with CIVIL Wars, and by such wicked Counsells as these, some of our Princes have been brought to such miserable ends, As no mans heart can remember without sorrow and earnest Prayer, that it may never be so again.

*Note this, all the whole Commons-House opinion them.*

2. As it is dangerous to the Kings Person and Crown, so it is in other respects very prejudiciall to his Majesty, in honour, profit and greatness (which he there proves at large, as you may there read at leisure) and yet these are the Guildings and Paintings, that are put upon such Counsells: These are for your Honour, for your Service.

3. It is inconsistent with the Peace, the Wealth, the Prosperity of a Nation. It is destructive to Justice, the mother of Peace: to Industry, the spring of Wealth: to Valour, which is the active vertue whereby the Prosperity of a Nation can onely be procured, confirmed, and enlarged. It is not onely apt to take away Peace, and so intangle the Nation with Wars, but doth corrupt Peace, and pours such a Malignity into it, as produrth the effects of Warre: both to the NOBILITY and others, having as little security of THEIR PERSONS OR ESTATES, in this peaceable time, as if the Kingdome had been under the fury and rage of Warre. And as for Industry and valour, who will take paines for that, which when he hath gotten is not his own? or who fights for that wherein he hath no other interest, but such as is subject to the will of another? Shall it be Treason to embaise the Kings Command, though but a piece of twelve pence or six pence, and shall it not needs be the effect of greater Treason to embaise the rights of his Subjects, and to set a stamp and character of Servitude upon them, whereby they shall be disabled to do any thing for the service of the King or Commonwealth?

*And were they ever so high, cowardly, slothful as now is*

5. "In times of sudden danger, by the invasion of an Enemy, it will oblige his Majesty to preserve himself and his Subjects from that danger. When war threatens a Kingdom, by the coming of a Foreign Enemy, it is no time then to discontent the people, to make them weary of the PRESENT GOVERNMENT, and more inclinable to a change. The supplies which are to come in this way, will be unready, uncertain; there can be no assurance of them, no dependence upon them, either for time or proportion. And if some money be gotten in such a way, the distractions, the divisions, dissensions, which this course is apt to produce, will be more prejudicial to the publick safety, than the supply can be advantageous to it.

6. "This crime is contrary to the Pact and Covenant between the King and his People, by mutual agreement and stipulation, confirmed by OATH on both sides.

7. "It is an Offence that is contrary to the ends of Government.

Was ever  
their power, vi-  
olence so unli-  
mited, unbound-  
ed in all kinds  
as now against  
Kings, Magis-  
trates, Justice,  
Peers,  
People?  
Is it not most  
true of late and  
Will?

1. "To prevent Oppressions; to limit and restrain the excessive power and violence of great men; to open passages of Justice with indifferency towards all.

2. "To preserve men in their Estates, to secure them in their Lives and Liberties.

3. "That Vertue should be cherished and Vice suppressed; that where Law is subverted, and Arbitrary, and unlimited power is set up, a way is open not only for the security, (as now of all heretics) but for the advancement and encouragement of evil.

Such men as are appointed for the execution and maintenance of their power, are made capable of preferment, and others, who will not be Instruments of any unjust Commands, who make Conscience to do any thing against the law of the Kingdom, and Liberties of the Subject, are not only not passable for advancement, but SUBJECT TO MUCH JEALOUSIE and DANGER. Is not this their condition of late and present times, even in Parliament Members themselves, as well as others, secured, secluded, kept close prisoners perforce, for making Conscience of doing nothing against the

the Laws and Liberties of the Kingdom, and their Oaths and Covenants too? and refusing to comply with usurping Innovators in all their self seeking extravagancies and Treasons? *expertus loquor.*)

7. That all accidents and events, all Counsels and Designs should be improved for the publique good. But this arbitrary power is apt to dispose all to the maintenance of it self. (And is it not so now?)

8. The Treasons of subversion of the laws, violation of Liberties can never be good or justifiable by any circumstance or necessity, being in their own nature, how specious or good soever they be pretended. He alledgeth it was a time of GREAT NECESSITY and DANGER, when such Counsels were necessary, FOR THE PRESERVATION OF THE STATE, (the Plea since, and now used by others, who condemned him;) If there were any NECESSITY IT WAS OF HIS OWN MAKING. He by his evil Counsell had brought the King (as others the Kingdome since) into a Necessity, and by no rules of Justice can be allowed to gain this advantage to his Justification; which is A GREAT PART OF HIS OFFENCE.

9. As this is Treason in the nature of it, so it doth exceed all other Treasons in this; that in the Designe and endeavour of the Authour, it was to be A CONSTANT and PERMANENT TREASON; a standing perpetual Treason; which would have been in continuall Act, not determined within one time or age, but transmitted to Posterity, even from Generation to Generation. And are not others Treasons of late times such, proclaimed such, in and by their own Printed papers; and therein exceeding Straffords?

10. As it is odious in the nature of it, so it is odious in the Judgment and estimation of the Law. TO ALTER THE SETTLED FRAME and CONSTITUTION OF GOVERNMENT, IS TREASON IN ANY ESTATE. (Let those consider it who are guilty of it in the highest degree, beyond Strafford, Canterbury, or the Shipmony Judges in our own State.) The Laws

whereby

\* See Article 2;

2, 3, 4, 5, 10, 11,

12, 13, 16, 21,

22, 24, 25, 26,

27, 28, 29, 30,

31, 32, 33, 39 &

p. 45, 46. of the

Government of

the Common-

wealth of Eng-

land, &c.

\* Doth not the

Declaration of

17 March 1648

and the Instru-

ment of the

new Govern-

ment do it in

the highest de-

gree?

G



whereby all parts of a Kingdome are preserved, should be very vain and defective, if they had not a power to secure and preserve themselves.

\* And others as well as he, of far inferior place & estate.

The Forfeitures inflicted for Treason by our Law, are of Life, Honour, and Estate, even all that can be forfeited: and this Prisoner, although he should pay all these Forfeitures, will still be a Debtor to the Commonwealth. Nothing can be more equal, than that he should perish by the Justice of the Law, which he would have subverted: neither will this be a New way of blood. There are marks enough to trace this Law to the very Original of this Kingdome. And if it hath not been put in execution, as he alledgeth, this two hundred and fourty years: it was not for want of LAW; but that all that time had not bred a man bold enough to commit such Crimes as these: which is a circumstance much aggravating his Offence, and making him no lesse liable to punishment: he is THE \* ONLY MAN, that in so long a time hath ventured UPON SUCH A TREASON AS THIS.

\* But have not our times bred men much bolder than he, since this speech was made, and be executed? Since, he hath many followers

Thus far Mr. John Pym; in the Name and by the Order and Authority of the whole Commons House in Parliament: which I wish all those, who by their Words, Actions Counsels (and printed Publications too) have traitorously endeavoured to subvert the Fundamentall Laws, Liberties, Government, Parliaments of England and Ireland, and to introduce an Arbitrary and Tyrannical Government against law, as much as ever Strafford did, yea, far out stripped him therein (even since his execution) in all particulars, for which he was beheaded; would now seriously lay to heart, and speedily reform, lest they equal or exceed him in conclusion in capital punishments for the same; or endlesse Hellish Torments.

13. The next Authority I shall produce in point is, The Speech and Declaration of Master Oliver St. John, at a Conference of both Houses of Parliament, concerning SHIP MONEY, upon Judge Finches Impeachment of High Treason, January 14. 1640. printed by the Commons.

was Order, London, 1641. wherein he thus declares the sense of the Commons, p. 12. &c.

“That by the Judges opinions (forecited) concerning Ship-<sup>\* p. 36.</sup>

mony, THE FUNDAMENTAL LAWS OF THE  
REALM CONCERNING OUR PROPERTIES  
and OUR PERSONS ARE SHAKEN: whose Treasonable Offence herein, he thus aggravates, page 20. &c.

“The Judges, as is declared in the Parliament of 11 R. 2.

are the Executors of the Statutes, and of the Judgments and Ordinances of Parliament. They have made themselves the

“EXECUTIONERS OF THEM; they have in-<sup>\* Have none done so since them!</sup>

devooured the DESTRUCTION OF THE FUNDAMENTALS OF OUR LAWS and LIBERTIES.

“Holland in the Low Countries, lies under the Sea:

the superficies of the Land, is lower than the

superficies of the Sea. It is Capitall therefore for any

man to cut the Banks, because they defend the Coun-<sup>See Chap. 2. Proposition. 1.</sup>

try: Besides our own, even Forraign Authours, as

Comines, observes, That the Statute DE TALLAGIO,

and the other Old Laws, are the Sea Walls and Banks,

which keep the Commons from the inundation of the

Prerogative.

“These Pioners have not onely undermined these banks,

but have levelled them even with the ground. If one<sup>\* Have not other Pioners and Judasses done the like?</sup>

that was known to be Hostis Patria, had done this,

though the Damage be the same, yet the Guilt is lesse,

but the Conservatores Riparum, the Overseers intrusted

with the Defence of these Banks, for them to destroy

them; the breach of Trust aggravates, nay, alters the

nature of the offence: Breach of Trust, though in a pri-

vate Person, and in the least things, is odious amongst

all men: much more in a publike Person, in things

of great and publike concernment, because “GREAT

TRUST BINDES THE PARTY TRUSTED

TO GREATEST CARE AND FIDELI-<sup>\* This is grown a meer Paradox of late years, in Judges, Solicitors & others</sup>

TY.

**IN TREASON** In the *Constable of Dover Castle* to deliver the Keys to the known enemies of the Kingdome: Whereas if the House-keeper of a private person, deliver possession to his Adversary, it is a crime scarce punishable by Law. The \* Judges under his Majesty, are the Persons trusted with the Laws, and intrusted with the Lives, Liberties and Estates of the whole Kingdome. This Trust of all we have, is primarily from his Majesty, and \* from him delegated to the Judges. His Majesty at his Coronation, is bound by his Oath TO EXECUTE JUSTICE TO HIS PEOPLE ACCORDING TO THE LAWS; thereby to assure the People of the faithfull performance of his GREAT TRUST: His Majesty again; as he trusts the Judges with the performance of this part of his Oath; so doth he likewise exact another Oath of them, for their due execution of Justice to the people, according to the Laws: hereby the Judges stand intrusted with this part of his Majesties Oath. If therefore the Judges shall do willingly against the Law, they doe not onely break their own Oaths, and therein the Common Faith and Trust of the whole Kingdome; but do as much as in them lies, asperse & blemish the sacred Person of his Majesty, with the odious and hatefull sin of \* Perjury.

\* Was it ever  
so frequent a  
sin as now in  
all sorts of late  
Judges, Offi-  
cers, Subjects?

\* Do none de-  
serve as severe  
now?

\* See Coakes 3.  
145, 147, and  
page 133. Ad-  
mitted, page 184, 185. Speeds History page 651. Stow, Walsingham, Daniel &c.  
18 E. 1.

\* My Lords, the hainousness of this offence is most legible in the \* severe punishment, which former Ages have inflicted upon those Judges, who have broken any part of their Oaths willingly, though in things not so dangerous to the Subject, as in the case in question.

\* Sir Thomas Wayland, Chief Justice of the Common Pleas 15 E. 1. was attainted of Felony for taking Bribes.

Stow, Walsingham, Daniel &c.  
18 E. 1.

and his Lands and Goods forfeited; an appears in the Pleas  
of Parliament, 12 E. 1. and he was banished the Kingdom;  
as unworthy to live in the State; against which he  
had so much offended.

Sir *William Thorpe* Chief Justice of the Kings Bench  
in *Edward* the thirds time, having of five persons re-  
ceived five severall Bribes, which in all amounted to  
one hundred pounds, was for this done, adjudged to  
be hanged, and all his Goods and Lands forfeited: The rea-  
son of the Judgment is entered in the Roll, in these  
words, *Quia pradiatus Willielmus Thorpe qui Sacramen-*

\* See Cooks 3  
Instit. p. 145.

*tum Domini Regis erga populum suum habuit ad custodiendum,*  
*fregit, malitiose, falsis et rebelliter, quantum in ipso fuit.*  
There is a notable Declaration in that Judgment, that  
this judgement was not to be drawn into example, a-  
gainst any other Officers, who should break their  
Oaths, but only against those, *qui pradiatum Sacra-*

\* Have none of  
this name, or of  
this Function  
since done ar-  
bad or worse  
in an high-  
er degree!

*mentum fecerunt, et fregimus, et habemus Leges Anglie*  
*ad custodiendum.* That is, onely to the Judges Oath, who  
have the Law intrusted unto them. This Judgment  
was given 24 E. 3. The next year in Parliament 25 E.  
3. Numb. 10. it was debated in Parliament, whether  
this Judgment was legall? Et nulli contradicente, it  
was declared, TO BE JUST AND ACCORDING

\* Let Custodes  
Legum & Li-  
bertatum An-  
glie and those  
now called  
Judges, re-  
member it!

TO THE LAW: and the same Judgment may be gi-  
ven in time to come upon the like occasion. This case is in  
point, That it is death for any JUDGE mittingly to break  
his OATH in any part of it. This OATH of THORP  
is entered in the Roll, and the same Verbatim with the  
Judges OATH in 12 E. 3. and is the same which the  
Judges now take. (And let those who have taken the  
same Oath, with the OATHES OF SUPRE-  
MACY and ALLEGIANCE too, remember  
and apply this PRESIDENT, If others do it for  
them)

\* Now the report  
is, and others  
now consider it

Your Lordships will give me leave to observe the dif-  
ferences between that and the case in question.

\* 12 E. 3. 10  
sec. 1. 2  
sec. 2. 2

1. 'That of *Thorp*, was onely a selling of the Law by  
'*Retaile*, to these five persons; for he had five several  
'*Bribes*, of these five persons; the Passage of the Law  
'to the rest of the Subjects, for ought appears, was free  
'and open. But these *Opinions* are a conveyance of the  
'Law by *whole sale*, and that not to, but from the Sub-  
'ject.

2. 'In that of *Thorp*, as to those five persons, it was  
'not an *absolute deniall* of Justice, it was not a damming  
'up, but a *straitning onely* of the *Chanel*. For whereas  
'the Judges ought *Judicium reddere*, that is, the Lawes  
'being THE BIRTH-RIGHT and INHERITANCE  
'OF THE SUBJECT, the Judge when the parties in  
'suit demand Judgment, should *re-dare*, freely restore  
'the Right unto them; now he doth not dare, but ven-  
'dere, with hazard onely of perverting Justice; for the  
'party that buyes the Judgment, may have a good and  
'honest cause. But these *Opinions*, besides that, they have  
'cost the Subjects very dear, dearer than any; nay, I  
'think, I may truly say, than all the unjust Judgments  
'that ever have been given in this Realm, witnesse the  
'many hundred thousand pounds, which under colour

\* This is no-  
thing incompa-  
rison to the late  
Taxes, Ship mo-  
ney, Excises im-  
posed on the  
Subjects, with-  
out a Parlia-  
ment, amount-  
ing to above 10  
times as much  
as the Kings  
Ship money, and  
more frequent,  
uncessant, and  
endless taxes.  
of them, have been levied upon the Subjects, amount-  
ing to seven hundred thousand pounds and upwards,  
that have been paid unto the *Treasurers* of the Navy (in  
sundry years) besides what the Subjects have been for-  
ced to pay *Sheriffs*, *Sheriffs Bailiffs* (and now an hun-  
dred times more to *Troopers*, and *Souldiers*, who for-  
cibly levy their unlawfull Contributions and Excises,  
though adjudged HIGH TREASON in *Straffords* case,  
and proved such by *Master St. John*) and otherwise,  
which altogether as is conceived, amounts not to lesse  
than a Million (in five years space, whereas we pay above  
two Millions in Taxes, imposts, Excises, every year)  
besides the infinite vexations of the Subject, by suits in  
Law, binding them over, and attendance at the Coun-  
cel Table, taking them from their necessary employ-  
ments, in making Sesses and Collections, and imprisonment

‘sonment of their persons (all now crebbed so what  
‘then.) I say, Besides what is past, to make our mis-  
‘eries compleat, they have as much as in them is, MADE  
‘THEM ENDLESSE (as others since have done, by un-  
‘cessant endless Taxes and Excises.) for by these opi-  
‘nions, they have put upon themselves, and their suc-  
‘cessors, An impossibility of ever doing us right again, and  
‘an incapacity upon us of demanding it so long as they continue.  
(As the Compilers of the late Instrument, with 42 Strings  
intituled, *The Government of the Common Wealth of Eng-  
land, &c.* Article 1, 2, 3, 9, 10, 12, 22, 24, 25, 27, 28, 29, 31,  
32, 36, 37, 38, 39, have done, as far as they, and much be-  
yond them.)

‘In that sore famine in the land of Egypt, when the  
‘inhabitants were reduced to the next door to death;  
‘(for there they lay, why should we die?) for bread,  
‘first they give their money, next their Flocks and Caa-  
‘tle; last of all, their Persons and Lands for Bread, all  
‘became *Pharaohs*; but by this, *Lex Regia*, there is a  
‘transaction made, not onely of our Persons, but of  
‘our bread likewise, wherewith our persons should be  
‘sustained, that was for bread, this of our bread. For  
‘since these Opinions, if we have any thing at all, we  
‘are not at all beholding TO THE LAW FOR  
‘IT, but are wholly cast UPON THE MERCY and  
‘GOODNESSE OF THE KING.

‘Again, there the *Egyptians* themselves, sold them-  
‘selves, and all they had to the King; if ours had been so  
‘done; if it had been so done by our own free consent  
‘in *PARLIAMENT*, we had the lesse cause to com-  
‘plain. But it was done against our Wills, and by those who  
‘were intrusted, and that UPON OATH, with the prefer-  
‘vation of these things for us. The Laws are our Fort and  
‘Bulwark of defence; if the Captain of a Castle, only out of  
‘fear and cowardice, and not for any compliance with the  
‘enemy, surrender it, this is *Treason*, as was adjudged in  
‘Parliament, a R. 2. in the two Cases of *Goines* and *W-*  
‘*son*, and in the Case of the Lord *Gray*, for surrendering

the whole of  
the instrument  
intituled, &c. al-  
though it is  
not a true  
translation, with  
many errors, &c.

Are we now  
beholding to it  
for any thing?  
against the only  
new Law of the  
highest power?  
which takes  
impossibility what  
when, and how  
much is plea-  
sed, without  
account, or di-  
scuss, from all  
sorts and dis-  
crees of men  
Persons, and  
that by those  
who were com-  
missioned, trust-  
ed, charged by  
Oath, Protes-  
tations, *League* and  
Covenant to  
preserve our  
Laws and pro-  
perties.



Barwick Castle to the Sea. In Edward the third time  
though good Defence had been made by him, and that  
he had lost his eldest Son for maintenance of the Sea,  
and yet the loss of a CASTLE lost not the Kingdom,  
only the place and adjacent parts, with trouble to the  
whole. But by these Opinions, there is a Surrender  
made of all our Legal Defence of Property: that which  
hath been Preach'd, is now judg'd, that there is no  
Might and Right between the KING and  
PEOPLE, besides that which concerns our  
Persons.

\* Is there any  
between the  
late & present  
powers and  
them, further  
or longer than  
they please?

The LAW is the TEMPLE, the Sanctuary,  
ther Subjects ought to run for SHELTER and RE-  
FUGE: Hereby it is become Temple *in Name*,  
as was the Temple built by the Roman Emperor, who  
after he had built it, put no Gods into it: We have  
the Walls of the Law still, but not the Temple. We have  
the Fabrick of the TEMPLE still, but the Gods there-  
of are gone. But this is not all the case, that is, That  
the Law now ceaseth to aid and defend us in our RIGHT,  
for their possession alone were a good Title, if there  
were no Law to take it away. Occupanti conceditur  
& melior esse Possidentis conditio: But this, though too  
bad, is not the worst: for besides that which is Pre-  
tend'd in these Opinions, there is somewhat Positive.  
For now the Law doth not only not defend us, but the Law  
it self, (by temporizing Judges and Lawyers) is made an  
Instrument of taking us away. For whensoever our Ma-  
jesty or his Successors, shall be pleas'd to say, that the good and  
safety of the Kingdom is concern'd, and that the whole King-  
dome is in danger, the when, and how the same is to be pre-  
sent'd, makes our persons and all we have liable to have it all  
Pledge. By this meanes, the Sanctuary is turned into a  
Scamblers, the Ports are not stopp'd, that so they might  
neither do us good or hurt; But they are held against us  
by those who ought to have held them for us, and the mouth of  
our own Canon is turned upon our own selves: And that by  
our

\* Is there any  
between the  
late & present  
powers and  
them, further  
or longer than  
they please?  
\* It is not so  
now, when e-  
thers who con-  
demn'd and be-  
headed him for  
\* I have, say  
person and all  
it ever and a-  
way.  
Not.

our own Military Officers, Soldiers and others since, as well as the Ship money Judges then.) Thus Sir Mafter Oliver St. John (by the Commons Order) whose words I thought fit thus to transcribe at large, because not only most pertinent, but reasonable for the present times, wherein as in a Looking Glass, some pretended Judges and Grandees, of these present and late p. R times, may behold their own faces and deformities; and the whole Nation their sad condition under them. In the residue of that Printed Speech, he compares the Treason of the Ship money Judges, and of Sir Robert Tresilian and his Complices in the 17 of R. 2. (condemned, executed for Treasons by Judgment in Parliament, for endeavouring to subvert the Laws and Statutes of the Realm by their illegal Opinions, then delivered to King Richard at Nottingham Castle, not out of conspiracy, but for fear of death, and corporal Torments, wherewith they were menaced;) whose offence he makes transcendent to theirs in six particulars, as those who please may there read at leisure, being over large to transcribe.

\* words consp.  
deration of  
the, of the  
long robe.

I could here inform you, that the Fundamentall Laws of our Nation, are the same in the Body Politick of the Realm, as the Arteries, Nerves, Veins, are in, and to the natural Body, the Bark to the Tree; the Foundation to the House: and therefore the cutting of them aunder, or their Subversion, must of necessity, kill, destroy, disjoyne and ruin the whole Realm at once: Wherefore it must be Treason in the highest degree. But I shall only subjoyne here some materiall Passages, in Master St. Johns Argument at Law, concerning the Attainder of High Treason of Thomas Earle of Strafford, before a Committee of both Houses of Parliament in Westminster Hall, April 29. 1641. soon after Printed and published by Order of the Commons House: Wherein p. 8. he layd down this Position; rected again, p. 64.

That (Strafford) endeavouring, To subvert the Fundamentall Lawes and Government of England and Ireland, and instead therefore to introduce a Tyranni-

H

call





more a Peer in Parliament. HE WOULD SO AD-  
 JUDGE IT. (And so the same did remain in the  
 and not long after in Court-house wife, a woman who  
 their Heads on Tower-Hill.)  
 I have translated this Passage of Mr. Oliver's  
 as large for five Reasons.

1. Because they were the Voice and Sense of the whole  
 House of Commons by his mouth, who for many years  
 and rectified them by their special Oath, for the  
 publication in Print, for information and instruction  
 of the whole Nation, and terror of all others, who  
 should after that, either secretly or openly, by fraud or  
 force, directly or indirectly, attempt the subversion  
 all, or any of our Fundamental Laws or Liberties, or the  
 alteration of our Fundamental Government, or setting up  
 any Arbitrary or Tyrannical Power, Taxes, impositions,  
 or new kinds of arbitrary Judicatories, and impedi-  
 ments against these our Laws and Liberties.

2. To inform and inform all such who have not as yet  
 equalled but transcended Street and Court-broth in their  
 their HIGH TREASONS, even since the RESTORA-  
 TIONS, SPEECHES, and their EXEMPLARY EXE-  
 CUTIONS, of the heinousness, inconstancy,  
 wilfulness, maliciousness, Capitalness of their Crimes,  
 which not only the whole Parliament in general,  
 but many of themselves, in particular, so severely peni-  
 tently, condemned, and inevitably punished at that  
 years in them: that so they may fully consider, and ill-  
 repent, reform them with all speed and diligence, as  
 much as in them lies. And withall, I shall now shew  
 seriously to consider that Gospel warning passage, (All  
 they have not quite turned away all Conscience, Shame,  
 Christianity, Religion and Fear of the last Judge, and  
 Judgement to come) Rom. 2. 1, 2, 3. Therefore thou art  
 inexcusable O man, who art thou, at that Judge, for  
 whom thou art not worthy, thou CONFESSEST  
 THY GUILT, FOR THOU HAST JUDGED  
 DOST THOU, THE IS A ME THING. But we





To the both are sold and this is a (very) notable  
 fact, that the same will be, for the Government, from  
 the last session of the present session, to the  
 and finally to the public peace, and the interest of the  
 Nation, which those (and the only) who are such  
 as those, and sedition, and the greatest Enemies, Treason  
 to the public tranquillity, Weak, Low, Libertine, Gov-  
 ernment, and establishments of our Kingdoms (these  
 premises evidence), will be ready maliciously to asperse  
 both me and it with, as they have done heretofore some  
 other of my Writings of this Nature, with all which they  
 must first brand Mr. St. John, Mr. Ry, the whole House  
 of Commons, the whole with all other Parliaments men  
 cited, and themselves too, (from which they are so much  
 changed and degenerated of late years) for they can ad-  
 culc, traduce, or calumniate, who do but barely relate,  
 apply their words and judgments in their present times,  
 without malice or partiality, for the whole Kingdoms  
 benefit, security and regulation.

To these punctual full basis of Reason and Ratio-  
 nement Authority in point, I could accumulate the  
 Court his 3. Institute, p. 9. printed and authorized by the  
 House of Commons (speciall Order, the last Parliament  
 The severall Speeches of M. Hyde, M. Wall, M. Roper, and  
 M. Holt, July 6. 1641. as before in Parliament  
 by Order of the Common House, in the Impeach-  
 ment of the Shipwreke Judge of High Treason, printed in  
 Disputes, Occurrences, and Speeches in Parliament, London,  
 1641. p. 247. to 264. M. Samuel Brims Arguments on the  
 before the Lords and Commons, as Government Attacked,  
 all maintaining their subscription to signify the Fundamental  
 Law, and Government of the Realm, to be High Treason  
 with sundry other printed authorities to prove, that we  
 have a Fundamental Law, Liberties, Rights, and a Funda-  
 mental Government, which ought not to be governed,  
 without it, (as we do now) the present day serves for any  
 more governing Nation. Which Fundamental Rights, Liber-  
 ties, Laws, Sr. Thomas Fairfax, and the army under his  
 Command,

\* See Exalt.  
 collection, p. 4.  
 12-243, 161.  
 321.



\* Some men  
act as if  
they  
declare they  
had some other  
ground and  
aims than this.

\* Those who  
were and dis-  
join one part  
from the other  
and by force &  
armed power  
seclude, exclude  
and disjoin the  
members of the  
sanctions from  
from another  
so many times  
one after ano-  
ther, & just-  
ice is too, are  
the greatest dis-  
joiners of the  
House and Par-  
liament; and  
very unlikely to  
make any firm  
or real settle-  
ment of this  
Nation.

\* See my Speech  
in Parliament  
p. 100. 10 108.

and to the good Old Laws of England (the Guardians of our  
Liberty and Property) established with prudence, and con-  
firmed by the experience of many Ages and Genera-  
tions: (The Preservation whereof was a principal ground  
of our late quarrel with the King) having been once abo-  
lished; what could we have expected afterwards, but an  
enthroning of Arbitrary power in the Seat of Judicature,  
and an exposing of our Lives, our Estates, our Liber-  
ties, and all that is dear unto us, as a Sacrifice to the  
boundless appetite of mere War and Power, &c.

Things being as this pass, and the House (through  
their proceedings) perfectly dissolved, it was in  
vain to look for a settlement of this Nation from them,  
thus constituted: but on the contrary, nothing else  
could be expected. But that the Common-wealth  
should sink under their hands, and the great evils  
whereto so happily upheld and maintained, so be for-  
ever lost, through their profligate management of  
these affairs, whereunto they had been intrusted.  
Whereupon they justify their dissolution, and turning  
them forth out of doors by the Soldiers, with drums  
and infantry, to prevent that dissolution, which they  
by was coming, on **THE WHOLE LAND**, by the  
New Fowle Treason plot, set on foot by the Jesuits and  
Anabaptists, to destroy our Laws, Liberties, Property,  
Morality, and Religion is self, at one blow, and  
that in the very Parliament House, where some of  
us stood and blowed up Kings, Peers and Parliaments  
themselves, as well as Lower and Parliament Par-  
liaments of this year, where they had been constantly  
defended, vindicated, preserved, established in all for-  
mer Ages, by **WILL THE ENGLISH** and **THE**  
**SENATORS** and **ESTABLISHED** and **ESTABLISHED**

\* The second is, The Vote of the House of Commons,  
concerning a Paper presented to them, entitled, An  
Agreement of the people for a firm & present peace upon grounds  
of Common Right, 9 November 1648.  
ERADICATION OF THE OLD  
INTRODUCTION OF A NEW  
Referred



Generally taking notice of his proceeding in the execution (according to the Rules of *Warre*) of a *Martian* person (swearing, and prosecuting this Agreement in the Army contrary to these Votes) at the Rendezvous near *Ware*, and to give him thanks for it; and to defer him to prosecute that *Business* to the *Parliament*, and to bring such guilty persons as he shall think fit, to condign and exemplary punishment.

*Resolved, &c. That the Votes upon the Petition and Agreement annexed, and likewise the Votes upon this Petition, be forth with printed and published.*

After which, by a *special Ordinance* of both Houses of *Parliament*, 17 Decemb: 1647: no person whatsoever, who had contrived, plotted, prosecuted, or entered into that Engagement, intitled, The Agreement of the people, declared To be destructive to the being of *Parliaments*, and Fundamental Government of the Kingdom; for one whole year was to be excluded, chosen, or put into the Office, or place of Lord *Mayer*, or *Alderman*, *Sheriff*, *Deputy* of a *Ward*, or *Common Councilman* of the City of *London*, or to have a voice in the Election of any such Officers.

All these particulars, with the Capital proceedings against *Whites*, and others who fomented this Agreement in the Army, abundantly evidences the verity of my forefald Proposition, and the extraordinary guilt of those Members and Souldiers, who contrary to their own Votes, Ordinances, Proceedings, and Censures of others, have since prosecuted this, the like, or far worse Agreement, to the destruction of our ancient *Parliaments*, and their Priviledges, and of the fundamental Government, Law, and Liberty of our Nation: which I wish they would now fully lay to heart, with that saying of *Augustine*, approved by all sorts of Divines; and (a) *Catholics*; *Non renuntior peccatis, nisi restitutor ubi sum, & servidum est*; *Quid Restituo est* IN PRISTINUM STATUM POSITIO.

The third, is the memorable Statutes of 30 *January*, 1649, 1, 2, 3, 4, 5, which relating the old *Commonwealth* of the *Peoples* and *Papists*, and their infernal, inhuman, barbarous, detestable plot, to blow up the King, Queen, Prince, Lords, Commons, and the whole House of *Peers* with Gunpowder, when they

(a) See *Gratian*, *Caus. 2.*

*Qu. 1. 2.*

*Summa Angell.*  
*ca. Rosella, &*  
*Hofiensis. Tit.*  
*Restitutio.*

they should have been assembled in Parliament, in the upper House of Parliament, upon the fifth of November, in the year of our Lord, 1605. do aggravate the heinousness and standency thereof, by this circumstance, That it was (as faith of the principal Conspirators confessed) purposely devised and concluded to be done in the said House. That where sundry necessary and religious Laws, for preservation of the Church and State, were made, (which they falsely and slanderously termed, Cruel Laws enacted against them, and their Religion) both Place and Persons should be all destroyed and blown up at once; and by these dangerous Consequences, if it had not been miraculously prevented, but taken effect; That it would have turned to the utter ruine, overthrow, and subversion of the whole State and Common-wealth of this flourishing and renowned Kingdom, of Gods true Religion therein established by Law, and of our Laws and Government. For which horrid Treason, they were all attained, and then executed as Traytors, and some of their Heads, Quarters, set upon the Parliament House for terrour of others. Even so let all other Traytors, Conspirators against, all Blowers up, and subverters of our fundamental Laws, Liberties, Government, Kings, Parliaments, and Religion, reeling presumptuously in their Jesuitical footsteps, perish, O Lord; but let all them who cordially love, and strenuously maintain them against all Conspirators, Traytors, Underminers, Invaders whatsoever, be as the Sun when hee girth forth in his might; That the Land may have rest, peace, settlement again, for as many years at least, as it had before our late Innovations, Warres, Confusions, by their restitution and re-establishment.

\* See Speeds  
Hist. p. 1250.  
&c. Mr. Vissars  
History of the  
Gunpowder-  
Treason, The  
Arraignments  
of Traytors.  
\* Judg. 5. 21

## CHAPTER 2.

HAVING thus sufficiently proved, That the Kingdom, and Freemen of England, have some ancient Hereditary Rights, Liberties, Franchises, Privileges, Customs, properly called FUNDAMENTAL, as likewise a Fundamental Government, in ways so established, undisturbed, subverted, directly or indirectly, under the guilt and pain of High Treason, in



those who attempt it, especially by fraud, force, or armed Power.

I shall in the second place present you in brief Propositions; a Summary of the chiefest and most considerable of them, which our prudent Ancestors in former Ages, and our latest real Parliaments, have both declared to be, and eagerly contested for, as *fundamental*, and essential to their very being, and well being, as a *Free People, Kingdom, Republick*; unwilling to be enslaved under any *Tokes* of Tyranny, or Arbitrary Power: that so the whole Nation may the more perspicuously know and discern them, the more strenuously contend for them, the more vigilantly watch against their violations, underminings in any kind, by any Powers or pretences whatsoever, and transmit perpetuum them intirely to their Posterities, as their best and chiefest inheritance.

I shall comprise the *sum* and Substance of them all in these *Ten Propositions*, beginning with the Subjects Property, which hath been most frequently, universally invaded, assaulted, undetermined by our Kings, and their evil Instruments heretofore, and others since, and thereupon more strenuously, frequently, vigilantly maintained, fenced, regained, retained by our Nobles, Parliaments, and the people in all Ages (till of late years) when all or all of the rest put together, though every of them hath been constantly defended, maintained, when impugned, or infringed upon by our Ancestors, and our selves.

\* See the Laws of King Edward the Confessor, confirmed by William the Conquerour, &c. 56, 56, 57. The great Charters of King John, and Henry 3. c. 29.

30. 25 E. 1. c. 1, 6. 34 E. 1. De Tallagio. c. 1. 14 E. 2. Stat. 1. c. 21. Stat. 3. c. 1. 35 E. 3. Stat. 2. c. 7. 15 E. 3. Stat. 3. c. 5. 27 E. 3. Rot. Parl. N. 16. 21 E. 3. Rot. Parl. N. 16. 27 E. 3. Stat. 2. c. 2. 36 E. 3. Rot. Parl. N. 26. 38 E. 3. c. 2. 47 E. 3. Rot. Parl. N. 42. 17 H. 4. Rot. Parl. N. 50. 1 R. 3. c. 2. The Petition of Right, 13 Car. 2. c. 2. Against Ship money, Knighthood Tonnage and Pannage, &c. 12 Car. 2. c. 24.

Justit. Eng. Parliament duly summoned and elected, except  
only such persons, legal Aids, as they are specially obliged to  
render by their Tenures, Charters, Contracts, and the common  
Law of England.

That no Free-man of England ought to be arrested,  
confin'd, imprison'd, or in any private Castle, or remote unusual  
Prisons, under Souldiers, or other Guardians, but only in usual  
or Common Gaols, under sworn responsible Gaolers, in the  
County where he lives, or is apprehended, and where his friends  
may freely visit and relieve him with necessities. And that only  
for some just and legal Cause express'd in the Writ, Warrant, or  
Process, by which he is arrested or imprison'd, which ought to be  
legally executed, by known, legal, responsible, sworn Officers of  
Justice, not unknown Military Officers, Troopers, or other il-  
legal Catchpols. That no such Free-man ought to be denied  
Bail, Mainprise, or the benefit of an Habeas Corpus, or any o-  
ther Legal Writ, for his enlargement, which Bail or Mainpri-  
zable by him, nor to be detain'd Prisoner for any real or preten-  
ded Crime, nor bailable by Law longer than until the next gene-  
ral or special Gaol-delivery, held in the County where he is im-  
prison'd, when and where he ought to be legally tried and pro-  
ceeded against, or else enlarged by the Justices, without denial  
or delay of Right and Justice. And that no such Free-man may  
be sought to be outlaw'd, exil'd, condemn'd to any kind of  
Corporal punishment, loss of Life or Limb, or otherwise de-  
stroy'd or pass'd upon, but only by due and lawful Process, In-  
dulgenc, and the lawful Trial, Verdict, and Judgement of his  
Peers, according to the good old Law of the Land, in some or  
other Court of public Justice: not by any new illegal Milita-  
ry, or other Arbitrary Indictories, Commissions, or Courts of  
High Justice, unknown to our Ancestors.

That the ordinary standing Military Force, and Army  
of the Kingdom, ought to reside in the Nobles, Gentry, Free-  
holders, and Trained Bands of the Kingdom, not in Mercena-  
ry Officers, and Souldiers, receiving pay, and Contributions  
from the people, more apt to oppress, oppress, betray, than pro-  
tect their Laws, Liberties, and to protect them and their Wives  
and Tates. That no Free-man of England ought to be by

\* See Magna  
charta, c. 29.  
& Cooks Insti-  
tutes on 2,  
§ E. 3. c. 9

§ E. 3. c. 1, 2  
§ E. 3. c. 4  
28 E. 3. c. 3  
37 E. 3. c. 18  
41 E. 3. c. 3  
§ R. 2. c. 3 4  
§ H. 4. c. 10  
19 H. 7. c. 16  
23 H. 8. c. 3

This Petition of  
Rights, § 20, 21,  
and other Acts  
in the 32d & 44  
Rat. Parl. N.  
60, & 69.

\* E. 3. c. 1  
19 H. 4. c. 10  
19 H. 7. c. 16  
23 H. 8. c. 3

\* See the Laws  
of Edward the  
Confessor, and  
William the  
Conqueror,  
Lex. 3. c. 9, 15,  
18. R. 2. c. 3,  
The Armory,  
35 E. 3. c. 3,  
Rat. Parl. N.  
23. The Sta-  
tutes for im-  
pressing Sould-  
iers, 16 & 17





free consent in Parliament. That the ancient Honours, Manors, Lands, Revenues, Roweries, Inheriſances, Rights, and Perquisites of the Crown of *England*; originally ſetled thereon for the ſafe and exemption of the people from all kind of Taxes, payments whatſoever (except in caſe of extraordinary neceſſity) and for paying all the conſtant ordinary expences of the King, ſhould be the expences of his Kitchen-houſhold, Court, Officers, Judges, Ambaſſadors, Guard, Garriſons, Navy and the like) ought not to be ſold, alienated, given away or granted from it, to the prejudice of the Crown, and burdening of the people. And that all Sales, Alienations, Gifts, or Grants thereof, to the prejudice of the publick Revenue, or prejudice of the Crown and people, are void in Law, and ought to be reſumed and repealed by our Parliaments and Kings, as they have frequently been in all former ages.

For the Reader ſhall ſatisfaction ſearch of theſe propoſitions (ſome of which I muſt in the ſequent Chapter but briefly touch for brevity ſake) having ſeewhere fully diſſeſſed them in print, I ſhall eſpecially recommend unto him the peruſſal of ſuch Tractates, and Arguments formerly publiſhed, wherein each of them hath been fully diſſeſſed, which he may percuſe at his beſt pleaſure.

The Firſt of theſe Fundamentals; (which I ſuppoſe principally to liſt on) is fully aſſerted, debated, confirmed by 12. H. 1. 14. By *Forreſers* Lord Chief Juſtice, and Chancellor of *England*, de *Laudibus Legum Anglie*, dedicated by him to King *Henry* the 6th. 25. c. 16. By a Learned and neceſſary Argument againſt *Impoſitions* in the Parliament of 7. *Jacobi* by a late reverend Judge, Printed at *London* 1641. By Mr. *William Hakewell*, in his Liberty of the Subject againſt *Impoſitions*, maintained in an Argument in the Parliament of 7. *Jacobi*. Printed at *London* 1641. By Judge *Croke* and Judge *Hortons*. Argument concerning *Ship-money* both Printed at *London* 1641. By the Caſe of *Ship-money* briefly diſſeſſed. *London* 1642. By M. *St. Johns* Argument and Speech againſt *Ship-money*. Printed at *London* 1641. By Sir *Edward Cook* in his *Annotations* p. 46. and 47. to 64. and 126. to 127. By the firſt and ſecond Remembrance of the Lords & Commons in Parliament againſt

against the Commission of Array. Exact Collection p. 186 to 398. and 895. to 899. and by my own humble Remonstrance against Ship-money, London 1643. The Fourth part of the Sovereign Power of Parliament and Kingdoms, p. 14. to 28. my Legal Vindication of the Liberties of England, against Illegal Taxes &c. London 1640. and by the Records and Decrees cited in the ensuing Chapter, respecting for the most part to the first Proposition.

The second, third, and fourth of them, are largely debated and confirmed by a Conference desired by the Lords, and had by a Committee of both Houses, concerning the Rights and Privileges of the Subject, 2 April 4. Chancery Printed at London 1642. By Sir Edward Cook in his Instructions to Messrs. Barons, 1649. p. 43 to 57. By the full Deliberation and Remonstrance of the Lords and Commons against the Commission of Array, Exact Collection p. 386. and 895. to 899. By Judge Cooke, and Judge Huttons Arguments against Ship-money. By Sir Robert Cotton his Posthumous p. 142. to 159. By my Breviary of the Prelates Encroachments on the Kings Prerogative, and the Subjects Liberties, p. 138. my New Discovery of the Prelates Tyranny, p. 137. to 183. and some of the ensuing Statutes, and records, ch. 3. Sec. 1. H. 4. Rot. Parl. n. 22. 23. 24. 26. 29. 43. 44. 47.

The Fifth and Six of them, are fully cleared, vindicated in and by the Prologues of all our Councils, Statutes, Laws, before and since the Conquest, By 1. H. 4. Rot. Parl. n. 33. 34. 36. (an excellent full president.) Sir Edward Cooks Institutes, ch. 1. Mr. Cromptons Jurisdiction of Courts. Title High Officers of Parliament. Mr. Sir Johns speech against the Ship-money Judges, p. 32. 33. my Plea for the Lords; my Drovers levelled; my Arduus Regum; my Epistle before my Speech in Parliament; my Arguments; my Sovereign Power of Parliament and Kingdoms; p. 11. 112. 113. my Legal Vindication against Illegal Taxes and Privileges. 2. Acts of Parliament, London 1649. (Printed the 11. of October) reconciled to the Kings Statutes. Printed the same year. My Historical Collection of the great Councils and Parliaments of England, London 1649. my Tracts touching the Parliament, Antiquity



near *Novels*. London 1645. 9 B. 1. 5. 4. *Engic*. 14. 36. 40. 1 H. 4. c. 34. 5. R. 2. Stat. 2. c. 4. *Rastall* *Sir*. *Parliament*. H. 4. Rot. Parl. n. 31. 21. 48. 70. 31. H. 6. c. 1. 39 H. 6. c. 1. Rot. Parl. n. 8. 17 E. 4. c. 7. expresse in point, and some of the Records hereafter transcribed. In this I shall be more sparing, because so fully confirmed in these and other Treatises.

The *Seventh*, is ratified by *Sir Edward Cook* 1. *Institutes* p. 97 98. 4 *Institutes* p. 89. and 5. report *Cawdries* case, of the Kings *Ecclesiasticall* Laws, *Rastall* *Abridgement* of Statutes, *Tit*, *Provisors*, *Praemunire*, *Rome*, and other Records and Statutes in the ensuing Chapter.

The *Eighth*, is verified by the Statutes quoted in the Margin to it, and by other Records in the third Chapter.

The *Ninth* and *Tenth*, are fully debated in my *Sovereign Power of Parliaments and Kingdomes*, par. 2. p. 3. to 34. par. 4. p. 1. to 13. and 162. to 170. touched in *Sir Robert Cottons Posthumous*, p. 174. 179. confirmed by *undry Presidents* in the next Chapter. & by 1 H. 4. Rot. Parl. n. 32.

How all and every of these *Fundamentall Liberties*, *Rights*, *Franchises*, *Laws*, have been unparalledly violated, subverted, in all and every particular, of late years, beyond all *Presidents* in the worst off former ages, even by their greatest pretended *Pro-pugners*, their own Printed *Edicts*, *Instruments*, *Orders*, *Declarations*, *Reports*, together with their *illegal Oppressions*, *Taxes*, *Excises*, *Imposts*, *Sequestrations*, *Rapines*, *Violences*, unjust *Proceedings* of all kinds, will sufficiently evidence, if compared with the premised *Propositions*. Not to insist on any fore-past *illegal Imposts*, *Taxes*, *Excises*, under which the nation lately groaned, imposed on us by *unparliamentary Justices*, or the *Army Officers* alone from Anno 1648 to 1653. without any real *Parliament* by their own *armed Jurisdiction*. I shall here instance onely in 3. or 4. particulars, relating wholly to the *First Proposition*, or being of most generall, greatest present and future concernment of all other to the *whole English Nation*, at this very instant most intolerably oppressed, grieved by them, directly sweeping away all their *Fundamentall Rights of Property*, and consequently all their *Liberty of person*, *Laws*, *Charters*, at once, and that in perpetuity, beyond all hopes of *Future redemption*, if not directly

timely prevented by the *Universality, Body of the Realm, or their Trustees.*

The first of them is, the present imposition, and continuance of the strange, oppressive, monstrous, general high Tax of EXCISE, imposed on most native and foreign Commodities throughout England, and its Dominions; which as it was a most *Stranger to all our Ancestors*, and those now living, till within these few years; so it was no sooner projected by some evil Malignant Jesuited Counsellors about the late King, but it was *(a)* presently condemned, and crushed in the very shell, when first intended to be set on foot in England by King Charles, (with the advice and consent of his privie Council at White-Hall) by a Commission under the Great Seal of England, dated the last of February, 3 Carols, issued to thirty three Lords of his Majesty's privie Council and others; which authorized, and commanded them to raise monies BY IMPOSITIONS OR OTHERWISE, as they in their wisdom should finde most convenient; and that only for these publick uses, THE DEFENCE OF THE KING, KINGDOM, PEOPLE, and of the King's Friends and Allies beyond the Seas, then in such imminent danger, thus WITHOUT EXTRANEAMST HAZARD OF THE KING, KINGDOM, PEOPLE, KING'S Friends and Allies, it could admit of no longer delay. In which INEVITABLE NECESSITY, force and circumstance must rather be dispensed with than the substance left. The Commissioners being thereupon specially intjoynd, to be diligent in the Service, and not fail therein, as they tender his Majesties Honour, and THE SAFETY OF THE KING and PEOPLE. This Commission was no sooner discovered, but it was presently complained of by the whole Commons House, in the Parliament, of 3 Carols, and upon Conference with the Lords it was immediately Read, adjudged by both Houses, without one dissenting voice, TO BEE (EX DIAMETRO) AGAINST LAW, and CONTRARY TO THE PETITION OF RIGHT; after which, it was cancelled in such in the Kings own presence, by his command, and then sent cancelled to both Houses, for their satisfaction; before ever it was put in execution; and all

(a) See my Declaration and Protestation against the illegal, detestable, condemned new Tax, and Exaction of Excise, 1694. Exact collection, p. 83. Mr. St. Johns Speech concerning Ship-money, p. 15. 16.

Warrant for, and memorials of it cancelled, damaged, destroyed; the Commons further urging, That the Project thereof might be found out by strict inquiry, and **EXEMPLARILY PUNISHED** (as the Parliament Journal attests) notwithstanding all the specious pretences, of inevitable necessity, imminent danger, and the defence, safety of the whole Kingdom: People, King, and his foreign Protestant Friends and Allies (then in greater real danger, than any now appearing) This Original Parliamentary Doom, Judgement against the New Messer of Excise, was ratified, approved, pressed by both Houses of Parliament, in the Cases of Ship-money, and the Commission of Array, as you may read at large in Mr. Oliver St. Johns Speech and Declaration, delivered at a Conference of both Houses concerning Ship-money, 14 January, 1640. (printed by the Commons Order) p. 13. to 20: and, The Lords and Commons second Declaration against the Commission of Array. Exact collection, p. 884, 885. from which they then drew this positive conclusion (fit to be now considered by our New Governours, and the whole Nation) **THAT TO DEFEND THE KINGDOM IN TIME OF IMMINENT DANGER, IS NO SUFFICIENT CAUSE** (for the King and his Council, reach less then for those who condemn, suppress them for Tyrants, and Oppressors of the People) **TO LAY ANY TAX OR CHARGE UPON THE SUBJECTS WITHOUT THEIR CONSENT IN PARLIAMENT.** Yea the whole House of Commons was so zealous against this Detestable Excise, that in their Remonstrance of the state of the Kingdom, 15 Decemb. 1641. Exact Collection, p. 3, 4, 6. they expressly brand, censure, the first Attempts to introduce it, for **A MALIGNANT and PERNICIOUS DESIGN, TO SUBVERT THE FUNDAMENTAL LAWS and PRINCIPLES OF GOVERNMENT; upon which the JUSTICE OF THIS KINGDOM WAS FORMERLY ESTABLISHED; as proceeding from JESUITED COUNSELS, BEING MOST ACTIVE and PREVAILING; yea, for AN UNJUST and PERNICIOUS ATTEMPT, TO EXORT GREAT PAYMENTS FROM THE SUBJECTS, which was to be**

\* Exact Collection, 1886.  
Note.

Note:

ACCOUNT

accompanied (as now it is) with Billiced Soldiers in all parts of the Kingdom, and the concomitant of German (as now of English) HORSE, That the \* LAND MIGHT EL-  
 THER SUBJECT WITH FEAR, or BE ENFORCED  
 WITH RIGOUR TO SUCH ARBITRARY CON-  
 TRIBUTIONS AS SHOULD BE REQUIRED OF  
 THEM. And when some rumours were first spread abroad, that  
 the COMMONS HOUSE INTENDED TO LAY EX-  
 CISE UPON PEWTER AND OTHER COMMO-  
 DITIES, they were so sensible of the injustice and odiousness  
 thereof, that they thereupon published a special Declaration,  
 printed 8 Octob. 1642. Essex Collection, p. 638. wherein they  
 not only disclaim, renounce any such intention, but branded  
 those Reports and Rumours, for FALSE and SCANDA-  
 LOUS ASPERSIONS, raised and cast upon the House BY  
 MALIGNANT and ILL-AFFECTED PERSONS,  
 TENDING MUCH TO THE DISSERVICE OF THE  
 PARLIAMENT; and Ordered, That the AVTHORS OF  
 THEM should be inquired after, apprehended, and brought  
 to the House TO RECEIVE CONDIGNE PUNISH-  
 MENT. After which this Excise being notwithstanding this  
 Disclaimer, and much publick, private opposition against it, set  
 on foot by some swaying Members (upon a pretence of necessity  
 for support of the Army) to the great Oppression, and Discour-  
 age of the People; The Generall and general Council of Offi-  
 cers and Soldiers of THE ARMY themselves were so  
 sensible of this illegal and condemned New grievance, that in  
 the Heads of their Proposals, and particulars of their De-  
 sires, in order to the clearing and securing of the Rights and  
 Liberties of the Kingdom, tendered to the Commissioners  
 of Parliament residing with the Army, the first of August,  
 1647. (printed in their Book of Declarations, p. 118. &c. pub-  
 lished by their own, and the Lords House special Order) they  
 made this one principall Desire to the Parliament; That the EX-  
 CISE may be taken off from such Commodities, whereof the  
 poor of the Land do ordinarily live, and A CERTAIN  
 TIME TO BE LIMITED FOR TAKING OFF THE  
 WHOLE. Yet notwithstanding all these Judgements and Our-

\* And is not  
 this its present  
 sad slavish con-  
 dition?

Nota.

\* Do they not  
 so on Beer,  
 Salt, and other  
 Manufactures,  
 for which they  
 now pay Ex-  
 cise?

cries against it; some of those very persons who thus publicly branded it, both in the *Parliament House* and *Army*; by irregular paper *Ordinances* (as they intide them) dated 24 December, 1653. March 17. 1653. and May 4. 1654. have by their own Self-derived supertranscendent Authority, without, yea against the Peoples consents, or any Authority from Parliament, imposed, continued *Excise* upon our own Island, and *Foreign Commodities*, in very high proportions, from the twenty fourth of March 1654. till the twenty fourth of March 1655. And (which is most observable) prescribed it to be levied, by putting the Parties to an (*EX OFFICIO*) OATH against themselves; by *Fines*, *Forfeitures*, *SEQUESTRATIONS*, and *SALES OF THE REFUSERS*, *OPPOSERS*, *PERSONAL* and *REAL ESTATES*, *DISSTRESSES*, *BREAKING UP OF THE PARTIES HOUSES*, *SEISURES OF THEIR GOODS*, *IMPRISONMENT OF THE PERSONS OF ALL SUCH WHO SHALL HINDER OR OPPOSE THE MINISTERS, OR OFFICERS EMPLOYED IN LEVYING, or distraining for the same*, BY *LOCKING UP THE DOORS*, or *OTHERWISE*. And by these their unparalleled Edicts they further order, That the Officers of *Excise*, BOTH DAY AND NIGHT, shall be permitted free entrance into ALL ROOMES and PLACES WHATSOEVER THEY SHALL DEMAND, in *Brewers*, *Sope-boylers*, and others Houses, under pain of forfeiture of fifty pounds for every refusal (by colour whereof all mens Houses may be robbed, plundered, and their throats cut by Thieves and Robbers; pretending themselves *Excise-men*, *Souldiers*, authorised to make such Searches, as many of late have been.) And they with all their assistants shall be kept indemnified in ALL CAUSES RELATING TO THE *EXCISE*, from time to time, against all Suits or Actions brought, or other molestations, against them by the Parties grieved; who are \* usually Fined, Imprisoned, enforced to pay Costs of Sute, only for suing for relief) yea (which I cannot think of without honour and amazement) ALL  
 COVRTS

\* Witness Mr. Gory amongst others.

Nota.

COURTS OF JUSTICE OF THIS COMMON-WEALTH, and ALL JUDGES and JUSTICES OF THE SAME, SHERIFFS, COUNSELLORS, ATTURNIES, SOLICITORS, and ALL OTHER PERSONS, are thereby expressly required, to conform themselves accordingly, (in all things) WITHOUT ANY OPPOSITION OR DISPUTE WHATSOEVER; as the precise words of their Ordinance of 17 March, 1653. proclaim to all the Nation. Which declares further, *That IT IS NECESSARY to provide A CONTINUAL SUPPLY for the carrying on the weighty Affairs of this Common-wealth OUT OF THIS REVENUE OF EXCISE.* And do not these Clauses, (compared with the 27. 82. 39. Articles of their Instrument,) clearly discover, a fixed Resolution in these new Legislators, to continue, and perpetuate upon the whole Nation, this importable Grievance of *Excise*, from year to year, without intermission or end, to be levied by the means aforesaid? to hinder all, and every the *Persons of England*, from endeavouring to free or exempt themselves, or their Posterities from it hereafter, by any *Sute, Action, Habeas Corpus, or other legal remedy in any Court of Justice whatsoever?* yea presumptuously, positively to prohibit, enjoin all *Courts of Justice, Judges, Justices, Sheriffs, Counsellors, Attornies, Solicitors, with all other persons of this Common-wealth*, both for the present and future Ages, to give them the least legal assistance, advice, or relief against the same, or against any Officers, or Assistants which shall possibly leave it by distress, Fines, Imprisonments, Confiscation of Goods, Sequestrations, Sales of their personal or real Estates, or otherwise?

I appeal then (in the behalf of all the Freeborn People of England) the Souls and Consciences of these new Ordinance makers, with all the Examiners of them in any kind, before all the Tribunals of Heaven and Earth, whether they have not by these their Dismal Ordinances, more desperately, irrecoverably, totally, finally (as much as in them lies) undermined, subverted, and quite blown up at once, all the Foundations of our hereditary Parliamētall Properties, Liberties, Laws for eternity, and levelled them to the dust, then the worst of all

our



See the Arguments concerning them in Mr. Hambdins and others Cases.

our Kings or former Councill-tables ever did? Deprived the whole Nation, and every particular Free-man in it, of all future benefit of our Laws, Statutes and Courts of Justice, for their just relief against this intolerable Oppression; and thereby reduced us to the condition of the most slavish, depraved, fettered Bond-slaves and conquered Vassals under heaven, without any visible means or hopes of future enfranchisement, under a pretext of fighting for, maintaining, protecting, enlarging our former properties and freedoms &c. to a more miserable, lordid, servile condition, than either we or our Ancestors sustained under the worst of all our Kings and their most pernicious Counsellors: who never in any age attempted, either to make or impose such Extravagant enslaving Ordinances or Excesses with such strange penalties, Forfeitures, Imprisonments, Sequestrations, Sales &c. most unrighteous Monstrous Inhibitions of all legal suies, &c. means for their relief in Courts of Justice, as they have done: King Charles himself (though condemned, headed by them for the worst of Tyrants and Oppressors) permitting his Subjects free Liberty, to dispute the Legality of Fines for Knight-hood, Ship money, Tonnage, Poundage, Loans, Excise and other Impositions not ——— only in his Parliaments, where they were fully debated without restraint, and Laws passed against them afterwards by his own Royall assent thereto, but likewise in all his other Courts, where they were first brought in question. Yet now in our New Free State, under these pretended Patrons of our Laws and Liberties, all Courts, Judges, Justices, and other Officers must conform to these illegal impositions, and their tyrannicall measures of enforcement, without any opposition or dispute whatsoever; and all Counsellors, Attornies, Solicitors and others, must neither argue, nor advise, nor act in any kind against them. And is this the glorious old antient English Liberty, Freedom, Property, Law, and free course of Justice, wee have spent so many millions of Treasures, so many years of publique Consultations, warres, Prayers, Fasts, Tears, and such Oceans of precious christians Protestant English blood, inevitably to maintain and perpetuate so perversely? If any Free-born English men whatsoever dare publicly avert it, let them do it at the perill of their infamy, execration and future

future ages, yea of their own bonds and Sins. If they can-  
not but now absolutely disavow it, let them with shame and in-  
dignation disclaim, renounce such illegal Ordinances, Exci-  
ses, as most detestable both to God and all true-born English  
free men.

The 2<sup>d</sup> is, The present continuing Impositions of Customs  
Tonnage and Poundage upon Goods, Merchandises imported  
and exported, without any grant thereof by Parliament, by  
a new Printed Paper, entitled, an Ordinance of March, 23  
1653, thus peremptorily imposing them without any Prelegue  
or Inducement to satisfy the people either in Equity or Justice  
much less in their Dignity in respect of those who thus impose  
them for sundry years yet to come. Be it ordained by his highness  
the Lord Protector, with the advice and consent of the Council,  
that one Act of Parliament (though no Act at all by any  
known Laws, Statutes, Law-books, Records, Customs or  
Constitutions of the Realm, but a mere Nullity) intitled; an  
Act for the Continuation of the Customs, until the 26<sup>th</sup> of  
March, 1653, and all clauses and powers therein contained  
are, and ARE HEREBY CONTINUED, and SHALL and  
DO STAND IN FULL FORCE UNTILL THE 24 DAY  
OF MARCH in the year of our Lord 1658, &c. By which  
these New Legislators, by their own inherent Supradictive Pow-  
ers, presume to impose this Tax upon the whole Nation, & with-  
out any grant in Parliament, for full 5 years space, not only  
contrary to the Presidents in all former Kings reigns who  
never claimed nor received it, but by special grant in Parliam-  
ents, but likewise contrary to this memorable Remonstrance  
made by the whole House of Commons in the Parliament of  
Caroli, never yet Priored to my knowledge.)

\* See Cooks  
4. Just. c. 1.  
Brooks Parlia-  
ment 2. 76 43.  
107. and my  
Plea for the  
Lords.

\* See Cooks  
4. Just. c. 1.  
and Rastal.  
Taxes.

Most gracious Sovereign, your Majesties most loyall and  
dutifull Subjects, (the Commons in this present Parliament  
Assembled,) being in nothing more careful than of the Honour  
and Prosperity of your Majesty and the Kingdom, which  
they know doth much depend upon that union and relation  
betwix your Majesty and your people, do with much sorrow  
apprehend, that by reason of the uncertainty of their continuance  
(together, the unexpected interruption which have been cast

upon

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upon them, and the shortness of time in which your Majesty hath determined to end this Session; they cannot bring to maturity and perfection divers businesses of weight, which they have taken into their consideration and resolution, as most important for the common good.

Amongst other things, they have taken into especial care the preparing of a Bill for the granting to your Majesty such a Subsidy of Tonnage and Poundage, as might uphold your Profit and Revenue, in as ample manner as their just care and respect of Trade (wherein not only the prosperity, but even the life of the Kingdom doth consist) would permit. But being a work which will require much time and preparation, by Conference with your Majesties Officers, and with the Merchants, not only of London, but of other remote parts; they finde it not possible to bee accomplished at this time;

Nota

wherefore considering it will be much more prejudicial to the Right of the Subject, if your Majesty should continue to receive the same without Authority of Law, after the determination of a Session, then if there had been a recess by Adjournment only (in which case that intended Grant would have related to the first day of the Parliament) and assuring themselves, That your Majesty is resolved to observe that your royal Answer, which you have made to the Petition of Rights of both Houses of Parliament; yet doubting lest your Majesty may be mis-informed concerning this particular case, as if you might continue to take those Subsidies of Tonnage and Poundage, and other Impositions of Merchants without breaking that Answer; they are forced, by that duty which they owe to your Majesty, and to those whom they represent,

Nota

to declare, THAT THERE OUGHT NOT ANY IMPOSITION TO BE LAID UPON THE GOODS OF MERCHANTS EXPORTED OR IMPORTED WITHOUT COMMON CONSENT BY ACT OF PARLIAMENT, WHICH IS THE RIGHT AND INHERITANCE OF YOUR SUBJECTS, FOUNDED NOT ONLY UPON THE MOST ANTI-ENT AND ORIGINAL CONSTITUTION OF THIS KINGDOM, BUT OFTEN CONFIRMED

AND

AND DECLARED IN SEVERAL STATUTE

**LAWES:** And for the better manifestation thereof, may it please your Majesty to understand, That although your royal Predecessors, the Kings of this Realm have often had such Subsidies, and Impositions granted unto them upon divers occasions, especially for the guarding of the Seas, and safeguard of Merchants; yet the Subjects have been ever careful to use such Cautions and limitations in those Grants, as might prevent any Claim to be made, that such Subsidies do proceed from duty, and not from the free gift of the Subjects; and that they have heretofore limited a time in such Grants, and for the most part but short, as for a year, or two; and if it were continued longer, they have sometimes directed a certain space of resuscitation or intermission, that so the Rights of the Subject might be more evident. At other times it hath been granted upon occasion of Warre for certain numbers of years, with Proviso, that if the Warre were ended in the mean time, then the grant should cease. And of course it hath been sequestered into the hands of some Subjects to be employed for guarding of the Coasts; and it is acknowledged by the ordinary Answers of your Majesties Predecessors, in their assents to the Bills of Subsidy of Tonnage and Poundage, that it is of the nature of other Subsidies, proceeding from the good will of the Subject. Very few of your Predecessors had it for life, until the reign of Henry 7. who was so farre from conceiving he had any right thereunto, that although he granted Commissions for collecting certain Duties and Customs due by Law, yet he made no Commission for receiving the Subsidy of Tonnage and Poundage, until the same was granted to him in Parliament.

Since his time, all the Kings and Queens of this Realm have had the like Grants for life, by the free will and good will of the Subject; and whensoever the people have been grieved by laying any Impositions or other Charges upon their Goods and Merchandizes without authority of Law, (which hath been very seldom) yet upon complaint in Parliament they have been forthwith relieved; saving in the time of your royal Father, who having through ill counsel caused the Rates

Nora.

\* Though he came in by the Sword, as a kind of Conqueror.

Nora.

Nota.

of Merchandizes to that height at which they now are, yet he was pleased to saire to yeeld to the complaint of his people, as to offer, that if the value of these Impositions which he had set, might be made good unto him, he would bind himself, and his Heirs by Act of Parliament, never to lay any other, which offer the Commons at that time, in regard of the great burthen, did not think fit to yeeld unto.

\* And are not all the Commons Merchants, Freemen of England bound to use the same course, and make the same Declaration now?

Nota.

\* And can our p. s. ept. Grandees take it in their power to refuse to pay them now, being demanded without Warrant of a Law, and the receivers of them in a Premunire by express Act of Parliament of 16 Caroll, made since this Remonstrance.

Nevertheless your loyal Commons in this Parliament, out of their especial zeal to your Service, and special regard of your pressing occasions, have taken into their considerations, so as frame a Grant of Subsidy of Tunnage and Poundage to your Majesty, that both you might have been better enabled for the defence of your Realm, and your Subjects by being secure from all undue Charges, be the more encouraged cheerfully to proceed in their course of Trade, by the increase whereof your Majesties profits, and likewise the strength of the Kingdom would be very much augmented. But not being now able to accomplish this their desire, there is no course left unto them without manifest breach of their Duty, both to your Majesty and their Country, save only to make this humble Declaration, **THAT THE RECEIVING OF TONNAGE AND POUNDAGE, AND OTHER IMPOSITIONS NOT GRANTED BY PARLIAMENT, IS A BREACH OF THE FUNDAMENTAL LIBERTIES OF THIS KINGDOM, and CONTRARY TO YOUR MAJESTIES ROYAL ANSWER TO THE SAID PETITION OF RIGHT, and therefore they do most humbly beseech your Majesty to forbear any further receiving of such sums, and to require it in all parts from those of your Majesties loving Subjects, WHO SHALL REFUSE TO MAKE PAYMENT OF ANY SUCH CHARGES WITHOUT WARRANT OF LAW DEMANDED.** And as by this forbearance your most excellent Majesty shall manifest unto the World your **ROYAL JUSTICE IN THE OBSERVATION OF YOUR LAWS**, so they doubt not hereafter, at the time appointed for their coming again, they shall have occasion to express their great desire to advance your Majesties **HONOUR and PROFIT**, and the

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The King dissolving this Parliament on a sudden, and continuing to take *Tonnage and Poundage* by his Royal Prerogative without any Act of Parliament, sundry (a) Merchants upon the Common Remembrance, refused to pay the same; whereupon their Goods were seized: of which they complaining in Parliament, 16 Caroli, were Voted full Reparation against the Customs, with Damages for the same. And to prevent the Kings Claim thereunto by right; with all future Demands and Collections thereof from the Subject without grant in Parliament, they Declared and Enacted by three special Acts of Parliament 16, & 17 Caroli, That IT IS and HATH BEEN THE ANTIEN<sup>T</sup> RIGHT OF THE SVBJECTS OF THIS REALM; That NO SUBSIDY, CVSTOME, IMPOST, OR OTHER CHARGES WHATSOEVER OUGHT OR MAY BE LAID OR IMPOSED UPON ANY MERCHANDISE EXPORTED OR IMPORTED BY SUBJECTS, DENIZENS, OR ALIENS, WITHOVT COMMON CONSENT IN PARLIAMENT, and that if any Customer, Controller, or any other Officer, or Person, should take or receive, or cause to be taken or received the said Subsidy, or any other Impost upon any Merchandise whatsoever, exported or imported, except the same be due, by Grant IN PARLIAMENT, shall incur the penalties and forfeitures OF A PREMUNIRE, to the which the King gave his Royal Assent. And to prevent any future prescription thereunto by the King, they discontinued it for some time, and then granted it specially from Month to Month, or some short space with sundry limitations, and the penalty OF A PREMUNIRE if otherwise received, by several New Acts of Parliament, to which the King gave his assent. These Acts the King himself in his Proclamation of the fourth of December, in the eighteenth year of his reign, Biles, THE FENCES OF THE SVBJECTS PROPERTY, received from Us, and understood by Us, as one of THE GREATEST GRACES THE CROWN EVER CONFERRED ON THE SVBJECT; And by that Proclamation, he prohibited all his Subjects, both the payment and receipt of any Money for Customs, or other Marising Duties, contrary

Nota.



to this *Act*, by any Ordinance of both Houses of Parliament; under pain of a **PREMUNIRE**, and of being likewise proceeded against as ill-affected persons to the Peace of the Kingdom.

Whereupon the Lords and Commons in their answer to this Proclamation, though they declared; that the intent and meaning of that penall Clause of a **PREMUNIRE** and other Forfeitures (in these new statutes, which likewise disable every person, Customier, Officers who should take or receive, or cause to be taken or received any such subsidy or imposition upon any Merchandize, during his life, to sue or implead any person, in any action real, mixt or personal in any Court whatsoever,) was only to restrain the Crown, from imposing any duty or payment on the Subjects, without their consent in Parliament: and that it was not intended to extend to any case whereunto the LORDS and COMMONS GIVE THEIR ASSENT IN PARLIAMENT (which they never did to this New *White-hall* Ordinance, nor the pretended *Act* recited in it, therefore the imposers and receivers of it by vertue thereof, without such assent in Parliament, are within the penalties of the aforesaid Statutes: ) Yet to avoid the danger of a *Premunire* in their Officers, by exacting it only by an Ordinance of both Houses, without a speciall *Act* of Parliament; they did by their first\* Ordinances, impose and demand Customes, Tonnage Poundage and new Imposts, not as a Legal Duty, but only BY WAY OF LOANE; til the *Act* of Parliament for their future continuance should be assented to by the King: as their Declaration of 31 December 1641. and their Ordinance of the same date, concerning the subsidy of Tonnage and Poundage attest. By what color of Law, Justice, Right, this ancient birth-right of all English Subjects, so lately declared by three Acts of Parliament, to which most of our late and present *White-hall* Grandees were parties, comes to bee lost and forfeited by our confests to preserve it; or how the Customes, Imposts of Tonnage, and Poundage, can bee now imposed, continued on, or exacted from the Subjects by any Powers, Officers, or persons whatsoever, and levied by severall penalties, Forfeitures, Imprisonments, Seizures, by pretence of this *White-hall*

*White-hal Ordinance*, (though no waies granted by common consent and Act of Parliament,) without incurring a *Præsumptio* and forementioned penalties, disabilities; or without subverting the *Fundamental Liberty, Property, Franchises, Laws, Statutes of the whole English Nation*, in a farre higher degree then ever in former ages, I cannot yet discern; and allow *New Governours, Merchants, Customers, Officers* and other persons, who have any *Cordial affection, Love, Zeal to their own or the peoples hereditary Rights and Priviledges*, may do well to demurre in Law upon it, till they can satisfy their own and other mans consciences therein, to prevent the dangerous consequences of such an ill president to posterity. In the Parliament of 1 H. 4. 1<sup>st</sup> Parl. c. 32, 33, 34, 35. These were the principall Articles of impeachment exhibited against King Richard the Second; for which hee was forced to depole himself, as unfit to Govern, and resign up his Crown to King Henry the Fourth.

*That whereas this King of England lost of the profits of the Realm, and the Partrimony belonging to his Crown, might live honestly without oppression of his people, so as the Kingdoms were not burdened with the extraordinary expences of warre, that this King during the Truce between the Realm and the Adversaries thereof, gave and squandered away a great part of the Crown-Lands to unworthy persons, and thereupon exacted almost every year, so many Taxes and Grants of*

*Aside from his Subjects of the Realm, that hee thereby GREATLY and TOO EXCESSIVELY OPPRESSED HIS PEOPLE, TO THE IMPOVERISHING OF HIS REALM. That the same King being unwilling to keep and defend the just Laws and Customs of his Realm, and to do according to his pleasure, whatsoever should suite with his desires, frequently when the Laws of his Realm were expounded and declared to him by the Justices and others of his Councill, who requested him to administer Justice according to those Laws, said expressly with an austere and frowning Countenance, THAT THE LAWS WERE HIS more sue, AFTER his own MANER; and sometimes, THAT THEY WERE IN HIS OWN BREAST, and THAT HEE ALONE COULD ALTER and MAKE THE*

LAWS.

\* See Historiz Anglicanz Londini. 1652. Col. 1710, 1751. Halls Chronicle f. 718. John Truffel in. 233 R. 2 p 46. Grafton p. 401.

**LAWS OF HIS REALM.** And being seduced with this opinion, he permitted not Justice to be done to very many of his Leige people, but compelled very many to cease from the prosecution of common Justice. That when as afterwards in his Parliament certain Statutes were made, which might always bind, till they were specially repealed by another Parliament, the same King desiring to enjoy so great Liberty, that none of these Statutes might so bind him; but that he might execute and do according to the pleasure of his own Will, which he could not do of right, subtilly procured such a Petition to be presented to him in his Parliament, in the behalf of the Commons of his Realm, and to be granted to him in the General, **THAT HE MIGHT BE SO FREE AS ANY OF HIS PROGENITORS WERE BEFORE HIM.** By colour of which Petition and Grant, he frequently did, and commanded to be done, **MANY THINGS CONTRARY TO THE SAID STATUTES NOT REPEALED, GOING AGAINST THEM EXPRESLY, and WITTINGLY, AGAINST HIS OATH AT HIS CORONATION.** That although by the Statutes and Customs of his Realm, in the summoning of every Parliament, his people in every County of the Realm ought to be free, to elect and depare Knights for the said Countie to sit in Parliament, both **TO RECEIVE their GRIEVANCES, and TO PROSECUTE REMEDIES THEREUPON, AS IT SHALL SEEM EXPEDIENT TO THEM,** yet the said King, that he might in his Parliament be able to obtain the effect of his rash Will, frequently directed his Mandates to his Sheriffs, that they should cause to come to his Parliament **CERTAIN PERSONS NAMED BY THE KING HIMSELF, AS KNIGHTS OF THE SHIRE,** which Knights verily favouring the said King, he might easily enduce, as he frequently did, sometimes by divers threats and terrors, and sometimes by gifts, **TO CONSENT TO THOSE THINGS WHICH WERE VERT PREJUDICIAL TO THE REALM, and VERT BYRDENSOME TO THE PEOPLE;** and specially, **TO GRANT TO THE SAID KING A SUBSIDY FOR CERTAIN YEARS, TO THE OPPRESSING OF HIS**

his People overmuch. That although the Lands and Tenements, Goods and Chattels of every Freeman, by the Laws of the Realm used in all former ages past, ought not to be seized, unless they had forfeited; Yet notwithstanding, the said King purposing & endeavouring to enervate these Laws, in the presence of very many of the Lords and Commons of this Realm frequently said and affirmed, That the Lands, Tenements, Goods and Chattels of every one of his Subjects, are at his will and pleasure, without any Forfeiture (by the known Laws) which is altogether contrary to the Laws & customs of the Realm aforesaid. Whether all these high Misdemeanors charged against King Richard, have not been revived, and acted over and over both by words and deeds in a farre higher degree than ever he was guilty of them, by some late, present, Whitehall Grandees, Army-Officers, New Instrument-makers, Legisors, and Imposers of Excises, Customs, Imposts, Tonnage, Poundage, Contributions for many years yet to come; and of that constant Annual Revenue projected, intended by them in their 27 Article: I remit to their own judgements, consciences, and our whole Kingdom to resolve, and what they demerit for such extravagant high offences, for which he lost Crown and Regal power, let others determine.

The 3. particular, is their late incumbent Imposition of 6. Months new Contribution, by a meer Self-erected Whitehall Jurisdiction, without any consent, grant, in or by the People in Parliament, by that they intitle, An Ordinance of the 8. of June 1654. beginning thus (in a most imperial Stile, transcending all former Acts of Parliament, granting or imposing any Subsidies) without any Prologue to sweeten it, or court the people to its ready payment.

Be it Ordained and Enacted by his Highness the Lord Protector, with the consent of his Council, and it is hereby Ordained, That towards the maintenance of the Armies and Parties of this Commonwealth An Assessement of one Hundred and Twenty Thousand Pounds

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per

per annum for Three Months, commencing the 24<sup>th</sup> of June, 1654 and ending the 23<sup>rd</sup> of Sept. following. To be Taken, Levied, Collected and Paid in England and Wales in such sort as is hereafter expressed. The full sum of the said Three Months Assessment of One hundred and twenty thousand pounds by the Month, to be at once wholly collected and paid in to the Receiver General on or before the tenth day of October next, &c. The Levying thereof upon the refusers hath been by distress of Goods by Soldiers, Troopers, and quartering them on the refusers till payment, and double the value many times paid to, and exacted by the Soldiers for their pains, adjudged (even by some of our New Grantees Votes who prescribe such Taxes and wayes of levying them) to be No less than High Treason, and levying Warre in \* *Strafford's case*, for which principally he was condemned, and lost his head on Tower Hill, as a Traytor.

\* See Mr. St. Johns Argument at his Attainder. p. 36. to 52.

In this New *Whitehall Tax* without a Parliament (intended as a leading President to bind the whole Nation in perpetuity, if now submitted to, as the 27 Article intimates) there is a double violation, subversion of the Fundamental Laws and Proprieties of the Nation in the Highest degree. The first, is by the reviving, imposing of \* *Ship-money* on the whole Realm, and all Island Counties, as well as Maritime, for the Maintenance of the Navies by Sea, (which should be maintained only by the Customs) and that in a farre higher proportion than the *Ship-money* imposed by Write by our late be-headed King; amounting to no less than Forty thousand pounds per Manum at least, by way of Contribution alone, besides the Customs, Tonnage, Poundage and Excise paid towards it.

\* See Judge Crooks, & Judge Huttons printed Arguments, & my Humble Remonstrance against the Illegal Tax of Shipmoney.

This Imposition of *Shipmoney*, by the late King, (though ratified with the advice and consent of his Council, many colourable Presidents, Records in all former ages, and the precedent Resolution of all his Judges, under their hands, as just, and legally imposed in case of Necessary and Publick danger only, without consent in

Par-

Parliament) together with the Judgements and Proceedings of the Judges in the Exchequer Chamber in justification thereof, were in the last Parliament, after solemn Debate, by the Votes and Judgements of both Houses, on the 30<sup>th</sup> Jan. and 26 February, resolved ( *Nemo est auctoritas* ) To be contrary to the Laws and Statutes of this Realm, contrary to the Rights and Properties of the Subjects of this Realm, contrary to former Judgements in Parliament, contrary to the great Charter and to the Petition of Right: and voted to be so declared by the Judges at the Assizes in the several Counties; the same to be entered and enrolled in the several Counties by the Clerks of the Assizes. After which, it was for ever affirmed by a special Act of Parliament, to which the King himself gave his Royal assent, (afterwards cited and enforced by both Houses *Exalt. Collection* p. 886. 887. in the case of the Array.) And those Judges who argued, That the King might lawfully impose Shipmoney on the Subjects, without a Parliament in cases of Danger and Necessity, of which they affirmed him to be the sole Judge; were by all impeached by the House of Commons of High Treason, for these Opinions of theirs; whereby they traitorously and wickedly endeavoured to subvert the Fundamental Laws and established Government of the Realm of England, and instead thereof to set up an Arbitrary and Tyrannical Government against Law, of which at large before. How any present Powers or Persons then, can either impose, justify, levy, enforce it upon any Pretext of Necessity, or publique Danger, on the whole Nation, after all these late Resolutions, Judgements, Votes, Impeachments, and a special Act of Parliament to fresh in memory ( especially such who were parties to them ) without incurring the self-same Impeachments and guilt, as these Shipmoney Judges did, or a severer Censure than they sustained, let their own Consciences, and those who may one day prove their Judges, resolve them at leisure, being part my skill to doe it.

\* Printed at the end of Judge Hutcheson's A gument, & amongst the Statutes of 16 Capli.

\* Chap 1. p. Diurnal Occurrences & Speeches, p. 191. to 265.



The 2. is, By the imposing of a direct heavy *Tax*, *Tallage*, and *Monthly contribution*, and that only (for the Maintenance of such a Land Army, which hath suffered force unto the Members of both Houses, subverted, destroyed that *Parliament*, Government, *Law*, *Libertie*, for whose preservation they were specially raised, Commissioned, engaged) without, yea against the Peoples assent in *Parliament*; which no *King of England*, with the advice and consent of his Council, had ever any Right or Power to doe, or audacity enough to attempt, no not *William the Conqueror*, *Cnut*, *Henry the 4th*, *Edward the 4th*, or *Henry the 7th*, who came principally by power of the *Sword*, to their Sovereign Regal Authorities. By what Justice, Power, Legal Right, or any other person or persons whatsoever, who are neither rightfull *Kings*, nor *Parliaments* of England in their own or others repute, can either impose, levy, exact such extravagant *Heavy Taxes*, *Contributions*, from the exhausted Free-born People of England, (especially being now pretended new *Free State*, against all our *Fundamental Lawes*, *Statutes*, *Franchises*, *Charters*, *Properties*, *Liberties*, *Records*, *Parliamentary Judgements*, their own late *Remonstrances*, *Declarations*, *Votes*, the *Presidents* of all former ages, yea of all our *Kings* coming in by the *Sword* to their *Thrones*, let the Imposers of them seriously advise, as they will answer it at their utmost peril to *God*, *Men*, and the whole *English Nation*; who expected better things from them, even a total final exemption from all such illegal *Burthens*, after all their late *Wars*, *Agonies*, *Expences*, to redeem and preserve their *Lawes*, *Liberties*, *Estates*, *Properties*, *Posterities*, from such exorbitant Oppressions, diametrically contrary to all the forecited *Judgements*, *Resolutions*, *Remonstrances*, *Statutes*, *Votes*, *Presidents*, and sundry others, which I shall hereafter insist on in the third Chapter of this Treatise to which I must refer you: And shall we not then adventure a distress,

street, a Prison, quartering upon, or any other Distress, or Death it self, rather than voluntarily submit our selves and Posterities backs thereto; when as we spend our Blood, Lives, Treasures, against lesser, easier, Royal Impositions? How shall we answer it to God, Men, or our enslaved Posterities, if we now most safely, unworthily submit thereto in perpetuity, without the least legal, strenuous, publick oppression or debate of its legality.

If any here allege (as some men do) in justification of these three, (or rather four) forecited kinds of illegal *Objection.* universal Taxes, imposed, levied, on the whole Nation, without consent of Parliament; That they are all warranted by the Instruments of the new Government, Article 27, 28, 29. That a constant yearly revenue shall be raised, fixed and established, for maintaining Ten Thousand Horse and Dragoons, and Twenty Thousand Foot in England, Scotland, and Ireland for the Defence and Security thereof, and also for a convenient number of Ships for guarding the Seas, besides two hundred thousand pounds per annum, for defraying other necessary charges, for Administration of Justice, and other expences of the Government, which Revenue shall be raised by the Customs, and such other ways and means which shall be agreed on. By the Lord Protector and Council; and shall not be taken away, or diminished, nor the way agreed upon for the raising of the same altered, but by consent of the Lord Protector and the Parliament. That the said yearly Revenue shall be paid into the publick Treasury, and issued out for the uses aforesaid. That in case there shall not be cause hereafter to keep up so great a Defence at Land or Sea, but that there be an abatement made thereof, The money which shall be raised thereby, shall remain in banks for the Publick service. All which they, in the Transacts of the Case of the Commonwealth, p. 43, 44. commend, for a most excellent Provision, A constant Revenue. A Publick Bank & Treasury upon all occasions, &c. which they intend

to perpetuate on the whole Kingdom, without end or abatement, as well in times of peace, safety, as of war and danger. Therefore the *Brassier* and his *Council* at *Whitchall* in pursuance hereof, may lawfully impose (by virtue of these Articles) *both Excise, Customs, Tonnage, Poundage, Ship-money and contributions* for these ends upon our three whole Kingdoms, and all the *Freeborn English* by printed Ordinances of their own, in what Proportions, and for what time they please (yes and for perpetuity) without consent or grant in Parliaments, and restrain all future Parliaments, both from taking away, diminishing them, or altering the way agreed on for their raising, without their *Protectors* consent, herein (as the expresse words run, and their practice yet expounds them;) notwithstanding all former Laws, Statutes, Charters, Resolutions, Judgements, Remonstrances, Oathes, Vowes, Declarations, *Presidents* either in or out of Parliament) to the contrary.

*Answer.*

To this I answer, first, that I cannot but stand amazed to hear any Army-Officers, Souldiers, Lawyers, or persons in present trust or power, who bear the name or hearts of *English Freemen, Saints, Christians, Lovers, Patriots or Protectors* of their Native Country of England, its Parliaments, Laws, and Liberties, to make such a stupendious irrational objection, as this, which justifies all the exorbitant *Opinions, Proceedings, Taxes, Oppressions, Impositions*, of our late beheaded King, *Sixafford, Canterbury, the Ship-money Judges, old Whitchall Council Table*, yea all our other former Kings, and their evil Counsellors most irregular *Exaction* of money in all ages from *Brute* till now; and will render the very worth of all our Kings, if compared with our late and present *Tax-masters*, and pretended Assertors of our Liberties, rather good, gracious, just, righteous, *Princes, Benefactors*, than Tyrants or Oppressors, for the future, seeing they never out of Parliaments imposed, enforced on their subjects any such heavy, various, perpetual *Taxes, Imposts, Excises, Ordinances*, or new Articles of the

Government, as these forfeited:  
 31y. This Objection (if admitted just or solid) gives  
 a private Cabinet Council, of obscure persons (yet un-  
 known by name unto our Nation) a Superlative, Super-  
 Parliamentary Authority; to contrive and set on foot,  
 a new devised Instrument, to undermine and blow up  
 all our former fundamental Laws, Customs, great Char-  
 ters, Liberties, Franchises, Properties, Parliaments,  
 former frame of Government at one stroke, after all our  
 late bloody, costly contestations for their preservation,  
 both in the Supreme Courts of Publick Justice and fields  
 of War, without our privities or consents thereto, ei-  
 ther in or out of Parliament, contrary to all their and our  
 Protestations, Oaths, Covenants, Commissions, Trusts, Pro-  
 mises, Petitions; And instead of English Freemen (as we  
 were before these contests and wars) to strip us quite na-  
 ked of all our former Freedoms, Liberties, Properties, Cu-  
 stoms, Rights, derived to us from our Noble Ancestors as  
 the purchas of their dearest blood & render us & our Po-  
 sterities for the future, the most absolute Slaves, Vassals,  
 slaves under Haaven, inthralled to all sorts of intoler-  
 able, illegal, unrepresented, incessant, unlesse Taxes of all  
 kinds, without hopes of alleviation or mitigation by a-  
 ny future Parliaments, (without their Protectors or his  
 Successors voluntary consents, which they cannot ex-  
 pect) and to a constant standing Mercenary Army of  
 Horse and Foot, by Land, and Navies of Hiredlings by  
 Sea, to keep us and ours in perpetual Bondage under  
 such New irregular Successive Taxes, & after, who must e-  
 lose their successors like themselves.

32y. All our former ancient Laws, Statutes, Parliaments till now, in all changes, Revolutions of State or  
 Government, ever constantly asserted, maintained, pro-  
 vided, That no Tax, Tollage, Custom, Contribution,  
 Impost, Subsidy, Charge, Excise, Loan or Payment what-  
 soever, should be imposed on the Freemen of England,  
 without their common consent and grant, in full free, law-  
 full English Parliaments; and if any were imposed other-  
 wise

\* See p. 12 to  
 10 before the  
 1 Proposition,  
 and Statutes,  
 Arguments  
 thereunto:  
 Specially 23  
 E. 1. c. 6.  
 34. E. 1. c. 1,  
 23. 3. 14 E. 3.  
 c. 21, and  
 Stat. 2. c. 1.  
 3 Enact The  
 Petition of  
 Right.

wise by any Power or Pretence whatsoever out of Parli-  
ment, that it was Null, and void to all intents, to bind the  
people. But these monstrous Articles quite turn the  
scales; impowring a few private persons (neither cho-  
sen nor intrusted by the people for such ends) by colour  
of this ill-tuned Instrument (contrived privately by them-  
selves alone, as most conjecture, for their own self-inter-  
ests) to impose perpetuall Imposts, Excises, Customs,  
Contributions of all kinds, on our whole three Kingdoms  
and Nations, which neither they, nor their Parliaments  
(though never so grievous, extravagant, unreasonable  
or oppressive) shall have power to take away, diminish,  
alter, or regulate in the foresaid illegal, oppressing, vio-  
lent wayes of levying them, unless their Grand Sovereign  
Lord Protector, (shall first give his consent thereto; (which  
they cannot expect, nor enforce,) and in case of his re-  
fusall, they are utterly left remediless; he having Thirty  
thousand armed Mercenary Horse and Foot in severall  
Quarters by Land, and a strong numerous Navy by Sea  
at his command, to keep them under endless Tributes to  
him and his Successors for ever. O England, England,  
(to omit Scotland and Ireland) consider seriously, and  
timely, to what a blessed Liberty, and long expected free-  
dom, this New-invented Instrument, and the Irish Harp,  
lately quartered with the English bloody Cross, as our  
Free-State Arms, hath now at last reduced thee, if these  
objected Articles must remain inviolable, maugre all  
our Laws, Statutes, &c. to the contrary; as our New  
Tax-masters and their Instruments, both literally and  
practically conclude, unlesse you use your utter-  
most, lawfull, present, diligent, joynt Endeavours to  
prevent it.

\*See their Im-  
peachments  
& printed tri-  
als, & Mr. St.  
Johns A gu-  
ment at Law  
against Straf-  
ford, p. 34. 35.

ally, The whole House of Commons, yea some who  
were parties to this Instrument, lately impeached and  
with the Lords House, by judgment of Parliament con-  
demned, beheaded the \* Earl of Strafford, and Archbi-  
shop of Canterbury, as guilty of High Treason in subver-  
ting our Fundamental Lawes, Liberties, and setting up an





former Fundamental Laws, Charters, Liberties, Free Government made by Parliament, with our very own *Demerits* themselves? And if so, let the Objectors more seriously consider both the *Treasonableness*, unpardonableness, sad *Consequences* of this Objection, and what ill effects it may produce in present or future ages.

\*See S<sup>r</sup> Edm.  
Cook's Preface  
to his 2. Infr-  
mities.

5ly. The Statutes of 25 E. 1. c. 2. & 41 E. 3. c. 1. yet in force, declare *All judgement given or to be given by the Justices, or any other, contrary to the points of the Great Charter, to be void and holden for: So much runneth if any Statute be made to the contrary, it shall be holden for nought.* Therefore these *Instrument Articles* and *By-laws* Ordinances made by colour of them, in direct opposition to, and subversion of the *points of the Great Charter*, and all other *Acts* for their confirmation must needs be *holden for nought* and void to all intents, to bind the whole Free-born Nation, or any one Freeman of England in particular.

6. If these Articles and Instruments (for the premised reasons, and defect of *Legal power* in the yet unknown *Instrument-makers*) be not void in Law, to all intents and purposes, as all *wise men* repute them: yet other clauses, and *Articles* of this very *Instrument*, (admit it valid and obligatory to our *Nations*) give a *fatal blow* to all the forementioned *Excises, Impositions, Contributions* by colour thereof, and to the *Objection Articles*.

First the Prologue to the Oath, at the close thereof, proclaims the Government *settled by us, to be such, as by the blessing of God might be lasting, secure, & happy*. For the Great Cause of Religion and Liberty, in 12. 5. Ezech. long Contended for: But these Articles (as the Objection and premised evidence) do no wayes *secure*, but utterly subvert all *Property*, in the highest degree, and as we see, but eternally frustrate, abolish, the *Great ends* of our Religion (condemning all *illegal, unchristian, Tyranny, as and Tyrannical, Usurping, Oppressing arbitrary Power*) but especially of our *Liberty*. Is long contended for.

\*Jer. 21. 12. c.  
22. 3. 4. 5. Pf. answer  
12. 5. Ezech. long Contended for:  
18. 5. to 14. c.  
22. 12. 13. 17.  
29. 30. c. 45. 7.  
to 10. c. 46. 18.  
Mich. 3. 1. 10  
5. c. 2. 1. 2. 3.  
c. 2. 1. 5. 5.  
6.

for, and are rather likely to preserve the ancient and undisturbed Possession, than make the Government subject to many late Innovations, with those ancient ones in Dr. Hoadly's Theory of Gods Judgements, L. 2. c. 36. to 49. may persuade us.) Therefore it must be exploded, as repugnant to the whole scope of the Instrument.

2. The 6. Article of it is fatal and destructive to the objected Articles; viz. *That the Laws shall not be altered, suspended, abrogated, or repealed, nor any New Laws made, nor any Tax, Charge, or Imposition laid upon the People, but by common consent in Parliament.* Now these objected 27, 28, 29 Articles, being diametrically contrary to every word, clause of this 6 Article, and agreeable to our Fundamental Laws (which the last clause of the Oath obligeth their Predecessor and his Successors to maintain, and to govern the People by) which Laws must be all \* altered, suspended, abrogated, repealed by these Articles alone, if reputed valid; is giving Power to them, to impose any Tax, Charge, Imposition upon the People, without common consent in Parliament; and being not within the saving of this, or the 30th Article, must needs be void and repealed by this very last Article, and the Oath itself.

3. The 30th Article following them, diametrically contradicts, repeals them in these words. *That the raising of Money for defraying the Charge of providing and equipping Forces both by Land and Sea, in respect of the several Courts, shall be by consent of Parliament: And that the Lord President, with the wisdom of the better part of the Council, for preventing the disorders and abuses which may otherwise fall out both at Sea and Land, shall have power until the opening of the first Parliament (on the 3. September 1654.) to raise Money for the purposes aforesaid.* The former part of this Article is conformant to, and expounded by the 6. foregoing, which is more generall: and the plain sense thereof is this. *That altho' we raised for defraying the*

\* See True, &c. P. 17, 18.

Extraordinary Taxes laid by Land and Sea (subverting the ancient standing Garrisons; Guards maintained by the old constant Revenue of the Crown; without any Tax upon the People) shall be by consent of Parliament. Therefore *a fortiori*; all perpetual standing Taxes, Excises, Contributions to maintain the ordinary and extraordinary Forces by Land or Sea; land-ordinary expences of the Government (which, as respects to their constancy, permanency, are far more grievous & dangerous to the Subject than rare extraordinary ones upon emergent occasions) must and ought not to be imposed by their new created Power out of Parliament, after the 3<sup>d</sup> of September.

*Objection.*

If any here object; That the latter clause of the 10<sup>th</sup> Article *Says only*, &c. Authorized those at *Whitchell*, without a Parliament, to impose Excises, Taxes, Customs, Impositions, Contributions forementioned, and any other constant annual Rises on they shall think, according to the 27<sup>th</sup> Article; so as it be done before September 3, 1694. Therefore they are all lawful, because imposed before that time by their printed Ordinances forecited.

*Answer.*

1. That this *Saving*, is utterly void in law, to all intents. 1. Because it is not only contrary to all our Fundamental Laws, Great Charters, Statutes, but repugnant to the body of the 6<sup>th</sup> Article; and first part of the 39<sup>th</sup> to which it is annexed. 2. Because it assigns the Legislative Tax-raising Power (the inalienable incommunicable Privilege of our Parliaments alone) to a *Whitchell Council*, by a void instrument made out of Parliament for a certain time, which biggest Sovereign power the Parliament itself neither legally may, nor ought to transfer to any Ordinance or Act of Parliament, to any Committee of the House of Commons, no not for a certain time, both before and after the Act of Parliament, viz. 11<sup>th</sup> 4<sup>th</sup> 8<sup>th</sup> and 10<sup>th</sup> Parl. 1<sup>st</sup> H. 4<sup>th</sup> p. 24. 48<sup>th</sup> 16<sup>th</sup> 20<sup>th</sup> 34<sup>th</sup> 41<sup>st</sup> 48<sup>th</sup> 54<sup>th</sup> 58<sup>th</sup> 63<sup>rd</sup> and 1<sup>st</sup> H. 6<sup>th</sup> c. 12. it being derogatory and in-

diver

to the free State poyner, Rights of Parliaments, and to the great Inconmunity of the whole Nation, and of pernicious examples to Posterity, as the whole Parliament of 1. H. 4. long since resolved in positive terms.

ly. This saving is just like the Popes old \* *Detestable* Bull of *Omne*, at the close of their Bulls, *qua omnium* *subversis praeiudicium Justitiam*, which subverted all the Justice and Privileges granted before to any in the Body of those Bulls; and as pernicious as that \* *Proviso*, which the House of Lords desired at first, to have inserted into the *Petition of Right*, which would have made it *Felo de se*, because it insinuated that the King by his Sovereign power, where with the Law had intrusted him, for the protection, safety, and happiness of his People might impose any Aid, Tax, Tallage, or charge upon his People without a Parliament, though by his ordinary power he could not do it. Which had left the Subjects in worse case than it found them, and wholly destructive to itself in all the parts thereof: whereupon after a conference had concerning it by the Commons, it was totally rejected by both Houses; as this Saving must be for the self same reason.

3ly. Admit it valid; yet it gives power to them to raise moneys for the maintenance by Land and Sea. Only until September 2. 1654. and no longer; as is evident by the very words themselves; and the Convention, Exposition, of those who made the Instrument, as most suppose in their *Treatise of the State of the Case of the Commonwealth of England*, &c. 1654. p. 39. 40. in these words. *This power is to continue only till the sitting of the next Parliament.* Yet George Jones in his new Treatise, intitled; *Gods right and the Kings*, &c. in justification of the present Government and Government, p. 34. He saith; And for his seeking to have new Laws made, and this money, it is meet censurement. He saith; He claimed it not; but leaves it to the judgment of Parliament, as appears in *Article 6.* (as it shall be)

\* *Math. Paris*  
*Hist. Anglie*  
*London.* 1640.  
p. 810. 818;  
854. 875.  
\* See Mr. Sr.  
*Johns Speech*  
against the  
ship-money  
Judges, p. 16,  
17, 18, 19.  
*Exact Col-*  
*lect.* p. 885.

expressed for such Cases of Safety and necessity, till the time that this present Parliament shall assemble, and yet so he done by him with the advice of his Council, when he seeks not the strength nor Treasures of the Nation, nor to have it in his own power. Therefore they can impose no Taxes, Excises, nor Contributions by their printed Ordinances to continue after its beginning, nor by any future Ordinances (as they term them) after that time. Now the first Tax of Excise, forementioned, is imposed till the 26 of March 1655 which is 7 months after the 3 of September 1654. The 2 of Customs, Tonnage and Poundage, is continued till the 25 of March 1658, which is 3 years and 7 months after this 3 of September. And the 3 for the 6 Months Contribution reacheth till the 29 of December 1654, which is not full 4 Months after the first sitting of that their next Parliament: And any constant yearly Revenue settled by them, will far exceed this limited time, and all former Taxes: Therefore all these premised, and all other future Excises, Customs, Imposts, Contributions by pretended Ordinances for their levying after the 3 of September, exceeding the power and time limited by this *Saving*, must be void, and no ways warranted by the very *Saving* it self, and to be opposed as such.

4ly. To say, That although these several impositions continue after the 3 of September 1654, yet they were imposed by their Printed Ordinances before it; therefore within this *Saving* is a most absurd excuse and that, repugnant to the words, yet wholly destructive to the *Article*, and first part of the 30. For by this reason had their forecited Ordinances (or any other *decrees* or future *Associated* ones yet unpublished) imposed *Excises*, *Customs*, *Tonnage*, *Poundage*, *Contributions* on us for twenty, fifty, an hundred, or a thousand years yet to come, before the 3 of September, they must have been binding *now and ever* *Posterities*, during all that space, and unavoidable by the people, or future Parliaments, by this *Saving* and explication of it. But the words of

and giving only *Admiration* to the People, and the  
 meeting of the said Parliament; not to make *New*  
*Subsidies* any time before it to impose and continue Taxes  
 for any time or years after it, which would have fore-  
 stalled, affected the next and all future Parliaments in  
 their proper work of granting, regulating all future Tax-  
 es (according to the 61. and 30. Articles) and made them  
 mere *Cyphers*; clearly takes away this evasion; with  
 all their former and future *Whitened* Impositions after  
 the 10th of September; in contrary both to their *Instru-*  
*ment* and *Oath*.

2dly, The words of the 30th Article whereto this Sav-  
 ing refers, are observable, *That they shall have power*  
*in the meeting of the first Parliament, to raise Monies for*  
*defraying the Charges of the Extraordinary Forces*  
*both by Land and Sea.* In respect of the present Warre  
 To which, for the purposes aforesaid, in the Statute re-  
 lated. But the present Warre being many Months  
 continued, both by Land and Sea, by the Peace con-  
 cluded with *Foreign Nations*; and so no need, nor use  
 of *Extraordinary Forces* to be still continued by Land  
 or Sea; the ancient *Trained Bands* and *Militia* of the  
 Realm, being now well able to defend, secure us at their  
 owne cost, without any Mercenary Forces, *Raises*  
 or Contributions, only to pay them; the power of raising  
*Monies* in this Sense, with the grounds thereof, are now  
 at an end, as well as *Warre*; and the whole 17. Ar-  
 ticle too: Since the old *Trained Militia*, and *Trained*  
*Bands* of the 6. Nations, will be a sufficient *Safeguard*  
 to them, without our Mercenary Army or Forces; which  
 would prove *Treacherous Suppliers*, *Usurpers*, *Op-*  
*pressors* to all who rely upon them; wherupon our pre-  
 sent *Assurance*, since *Foreigners* usurpation, *intra-*  
*duction Militia* and Defence of the Realm, only be the  
 hands of the *Nobility*, *Gentry*, *Freeholders*, and persons of  
 best ability and estates, not in Mercenary Armies (which  
 supplant the *British*) And our Warres now ceasing,  
 the ancient Revenues, Lands, Customs of the Crown,

\* See Heylyn  
 Microcolupe.

p. 756, 257.

758, 395, 413.

1907, 577, 578.

642, 672, 704.

\* Exact Call.

p. 7, 575, 639.

640, 641, 807.

836, 850, to

890.

and



and Perquisites of the Courts of Justice, will be sufficient to defray all the Ordinary expences of the Government, Navy, old standing Garrisons, (if continued, though useless) Officers of State and Justice, as they did in former ages, and still ought to do, for the peoples ease and benefit.

\* See the Act of Resumption, 28 cl. 6. n. 53.

(a) See Cooks 4 Instit. c. 1. p. 33. Regal Taxes, & here ch. 3. sect. 4, 5, 6.

\* See 14 E. 3. c. 21. & stat. 2. c. 1. 5 R. 2. stat. 2. c. 2, 3, & all Acts for subsidy.

\* See Henry de Knighton, de Eventibus Anglie, l. 5. col. 2881. to 2890. 2 R. 2. rot. Pat. n. 22, 23, 24.

ably, It hath been the special policy, care of our prudent Forefathers, and wise (a) Parliaments, never to grant any annual Tax or Charge (except Tonnage and Poundage in some cases for a limited time) for Publick Defence, unto their Kings and Governours; nor usually to give them above Subsidy, in one or two Fifteens, or a single Escheage, and sometimes not so much, in any one Parliament, upon any extraordinary occasion or necessity, and that upon these Grounds. 1. Because extraordinary Aydes, ought to be granted only for, and proportioned to extraordinary, present, emergent Necessities, visibly appearing; which being not lasting, but momentary and various, one from another, no standing certain Contribution can or ought to be allotted for them, but only a temporary and mutable; the ordinary settled Crown Revenue being sufficient to defray all ordinary expences, without other Aydes. 2ly, To keep a perpetual ty upon their Kings and Governours, to summon frequent Parliaments, and redress all their Grievances in them, before they should receive any Grant of new Aydes or Subsidies from them, to supply their publique Necessities, to preserve a Power and Right in Parliaments to examine the grounds and present necessity of all Taxes demanded, and to take an Account how former Taxes, & the Kings Revenue had been disbursed, before they granted new ones. All which the granting of standing annual Aydes for publick Defence would frustrate. 3ly, To prevent the encroaching of a constant Charge and Revenue on the People, which if granted but for years, life, or but twice or thrice in the same kind and proportion, without alteration, though but as a free gift in Parliament, would thereupon be claimed, snatched from them afterwards, as

*Under just annual Rights and Revenues, without their further increase, as Danegeld, was by some of our Kings of old; Impositions granted, by Edward the 3. and other Kings heretofore; and the Customs of Tonnage & Poundage by King Charles of late. 4ly, To avoid all unjust Oppressions of the people by imposing on them more Taxes at once than the present urgent necessities required: 5ly, To prevent the insatiable, doubling of Taxes by any new dangerous Presidents; Sir Edward Co. observes in his 4. Institutes, p. 33. That the Commons never used to give above one Temporary Subsidie, and two Fifteens, in any one Parliament, and sometimes less; till the Parliament of 31 Eliz. which gave 2. Subsidies, and 4 Fifteens; upon which first breach of this old circle and usage, their Taxes still increased afterwards by degrees; for in 35, & 39 Eliz. they rose to 3. Subsidies, and 6 Fifteens: in 43 Eliz. to 4 Subsidies and 8 Fifteens: in 21 Jacobi to 5 Subsidies, and 6 Fifteens, in shorter time than had been before: in 3 Caroli, to 5 Subsidies in shortest time of all: and now of late, to constant annual Imposts, Excises, & endless Monthly Contributions, amounting to at least 3 Subsidies every Month. 6ly, Because a standing extraordinary Tax (especially for years or life) when once claimed or received as part of the publique Revenue, would be hardly relinquished, or discontinued, without much contest, and danger: as appears by Danegeld of old, and Tonnage, Poundage, Excise, Monthly Contributions of late imposed as of right upon us, by every new upstart Power; and when once customarily claimed, collected as a Duty, will no ways ease nor exempt the people from new Extraordinary Aides and Taxes. This is evident by that memorable President concerning *Abby-Lands*, in King Henry the 3. his reign, sealed on him as a large annual standing Revenue, of purpose to defend the Realm, and ease the people from all future Aides, by the Parliaments of 27 H. 8. c. 28. 31 H. 8. c. 13. 51 H. 8. c. 24. Yet were these Lands no longer sealed on the Crown for these ends, but in the same Parliament of 31 H. 8. the*

Q

King

King demanded and had of his Subjects, one extraordinary Subsidy both of the Clergy and Laity; and 34 H. 8. c. 17. & 37 H. 8. c. 24. he demanded and had the like Subsidy of them again: and his Successors the like and greater Subsidies every Parliament since. The like we see in the Case of Tonnage and Poundage, granted only for the Defence of the Seas and Realm against Foreign Enemies & Pirates: Which no sooner taken by the late King, as a Standing Revenue of the Crown, but he exacted and levied against Law, a New annual Tax of Shipmony, to guard the Seas, for which very use he received Tonnage, Poundage, and the ancient Custom; as our late Governors did, and present do; together with new Imposts and Excises; and yet impose Land-rates of Forty thousand pounds a Month besides, to Maintain the Navy. To instance in one particular more: Our late new Governors made Sale of all Archbishops, Bishops, Deans, Chapters, Delinquents, Kings, Queens, Princes, and Squieres Lands and Goods, both in England, Scotland and Ireland, one after another; under pretext, to ease the People in and of their heavy Taxes: But what was the issue? all their Taxes, Excises, and other Impositions were still continued on them, without any intermission or diminution, nay advanced higher than ever, to 120 thousand pounds Contribution by the Month for England, besides Scotland and Ireland, even while all these Lands and Goods were selling; the Lands and Goods sold, consumed, without any publique Account yet given of the Monies, or their disposal; or any present ease to the oppressed people; and the ordinary standing Revenues of the Realm being now by this means decayed, dissipated, and almost brought to nothing; these New Projectors and Dissipators of the vast publique Revenues, instead of easing, by colour of this Instrument, resolve to impose upon the undone, long-oppressed Peoples galled, broken backs and Estates, such perpetual constant, annual Taxes, Excises, Imposts, Revenues as you have heard, for the Maintenance both of the Army, Navy, Administration of Ju-  
stice,

just and other ordinary expences of the Government; which no Kings of England ever yet received, or pretended to. Which if any future Parliaments shall be so mad, or improvident once to settle, or the Kingdom not unanimously to oppose; if settled by them without a Parliament, instead of easing of the People of their long insupportable Taxes; now their Wars are ended; in all succeeding Parliaments, they shall still be burthened with new extraordinary Taxes, upon new pretended extraordinary occasions, and Forces raised (as the words of the 10 Article, compared with the 27 and 29, declare) as if this new constant revenue had never been settled: and if our Parliaments refuse to grant them, these New Projecting Tax-Masters (who most dispose of all the moneys in the intervals of Parliaments) will impose and levy them at their pleasure, by their Superintendant insuperable Tyrannical Power and Sword men, and dispose of them as they please without a Parliament, as they have already done, without rendering any other publick Account to the people thereof, than hath hitherto been given to them of all the many millions of Treasures already extorted from them of late years, to no other end (as appears by these Articles of our New Government) but now at last, to bring and keep them under perpetual endless Taxes of all sorts, and the intolerable, worse than Turkish Slavery of a perpetual dominating Mercenary Army, Navy, instead of long promised Liberty, ease and exemption from them, till they are all brought to a mass of bread, and till their private estates be utterly consumed, as well as the publick Crown and Church Treasures yet remaining.

The last and serious consideration of all which Premises, I humbly submit to the Impartial Judgements, Consciences of our present Governors, Army-Officers, Soldiers themselves, how discrepant they are from all their former printed Declarations, Protestations, Promises, Vows, Engagements to the People, and what they expected from them; It was the Speech of Mr. Bayly

\* *Qu. Curtius*,  
Hist. l. 7. p.  
831.

\* *Qu. Curtius*,  
Hist. l. 8.

\* Printed at  
Nuremberg,  
1521.

\* See Revela-  
tionum l. 4. c.  
104, 105. l. 7.  
c. 16. l. 8. c.  
48. & Revela-  
tiones extra-  
vagantes. c.  
73, 80.

*Embassadors, to Alexander the Grand Conqueror of the world, \* Nec Servire ulli possumus, nec regnare desideramus. Si Deus es, tribuere mortalibus beneficia debes, non sua eripere, sic Homo es, id quod es semper esse te cogita, Scilicet est eorum meminisse propter quod in obliviscentis: Let it be all Heroick English Freeman to our pretended Conquerors; who may do well to remember that Hermolus and other Officers and Soldiers of Alexanders own Guard, conspired his destruction, after all his Persian Conquests, for this very reason, which they justified to his face, \* Quia non ut ingenuis imperare cepisti, Sed quasi in mancipia dominaris; because he had begun not to reign over them as Freeman, but to domineer over them like Slaves; and because Revelations in this age, may be more prevalent with some Men than Gods own Oracles, or our Lawes; I shall inform our Tax-imposing Governours; that St. Bridget of Sweden in the 8 Book of her \* Revelations of the Heavenly Emperor unto Kings, cap. 6 records; That she had this Revelation from the Son of God, That Kings and Governours ought to love the People and Commonalty of their Realms: That they then shew they truly love them, when they permit them to enjoy their approved Laws and Liberties; when cruel Exactions and Collectors domineer not over them; if they burthen them not with new Inventions of Impost, Taxes, and Tributes, with grievous and unaccustomed Hospitality, Permanency or Frequentation; For although for the resisting of Infidels they may humbly petere auxilium a Populo, humbly request an aid from the People and Commons of their Realms (not imperiously impose it) when there is a necessity; yet let them beware quod necessitas illa non veniat in consuetudinem a legem, that the necessity comes not into a custom and law: \* For that King (or Ruler) who lays not aside his unjust Exactions, and Fraudulent Inventions to raise monies, and oppress his People, making his reigns and Kingdoms meer robberies and rapines, as most then did, and now too, let him know for*

cer-

that he shall not prosper in his doings, but shall lead  
 and his life in grief, dismisse his Kingdom in tribula-  
 tions; his Son and Posterity shall be in such hatred, re-  
 proach and confusion, that all men shall wonder thereat;  
 & his Soul shall be tormented by the Devils in Hell: which  
 she manifests by the \* example of an unjust Tax imposing  
 King, damned to Hell, and there tormented by the Devils:  
 For that to retain the Kingdom to himself; and defend it  
 from Invasions, he pretended the ancient Revenue of his  
 Eschequer would not defray the Expences of the Govern-  
 ment, and Realms defence: whereupon he devised certain  
 new Inventions, and fraudulent Emissions of Imposts, Tri-  
 butes, Taxes, and imposed them on his Kingdom; to the  
 damage of the Native, and oppression of innocent Mer-  
 chants and Strangers; although his conscience dictated to  
 him, Quod ista erant contra Deum, et contra iustitiam,  
 et Publicam honestatem: that these things were  
 against God, and all Justice, and Common Humanity; as our  
 forementioned Excises, Imposts, Taxes are now. Let  
 those who are now guilty of this sinne in the highest de-  
 gree, beware they incur not the self-same temporal and  
 infernal punishments, thus threatned to and inflicted up-  
 on others. And let our whole English Nation and their  
 Trustees, upon serious consideration of all the premises,  
 beware how they in any kind, through fear or cowardise,  
 submit their necks or backs to the forementioned illegal  
 Taxes and Burdens, of perpetual standing Excises, Im-  
 posts, Contributions and Taxes, to enslave themselves and  
 their Posterities for ever to an oppressing Arbitrary New  
 Government, and perpetual Army: For which end I  
 shall only recommend unto their meditation and pra-  
 ctise, this observation and policy of our prudent Ance-  
 sters, \* Vitius vitis inducit Constrictivum: that a dan-  
 gerous submission to, and payment of such exorbitant  
 illegal Taxes, will introduce a customary, future exaction  
 and payment of them; which made them always (as we  
 have greatest reason now to do) peremptorily to withhold  
 the first, to prevent a second customary, future exaction  
 and

\* Revelationum  
 l. 8. c. 48.

\* Math: Par-  
 Hist. Angl.  
 P. 117.



and payment in like kind; pursuing the Poet Ovid's old sage Counsel, wherewith I shall conclude this point.

\* De Remedio  
Amoris, l. 2.

\* Principii obsta: sero medicina paratur

Cum mala per longum temerata morantur.

How transcendently all the other Fundamental Laws, Liberties, Rights of our English Freeborn Nation have by late and present Governours and their Instruments been infringed, subverted in an higher avowed degree than ever in former ages, by forcible tyrannical Proceedings of all kinds, in breaking open men's Houses, by armed Soldiers, and other unsworn illegal Officers, Excisemen, Sequestrators, both by day and night; seizing their Persons, Horses, Arms, Papers, Writings; ransacking their Studies, Trunks, Cabinets, upon false surmises, suspicions; close imprisoning their persons (by multitudes) without, before any examination, particular accusation, hearing, trial, in unusual places; and some of them in remotest Isles, Garrisons under Soldiers: Their pressing of men for Land and Sea service, and carrying them away perforce by Soldiers, Troopers, Officers, Mariners, (like to many Prisoners) out of their own Counties and the Realm, to unnatural, unchristian Wars, against their Wills and Consciences: Their dismembering many Thousands of English Freemen of all sorts; of their Freeholds, Lands, Offices, Franchises, Honors, Authorities; spoiling them and theirs of their Goods, Chances, Estates, Lives, in and by Arbitrary Committees, Martial, & other extravagant Courts of highest Injustice: Subverting, Changing our ancient Fundamental Laws, Statutes, and enacting New without the People's free consent in Lawfull, English Parliaments: altering the whole Frame and Constitution of our Monarchy, Government, and Parliaments themselves: Depriving the people of the Free Election of their Parliament Members, and other Elective Officers, contrary to our Laws, Charters, Usages; securing, including the Members of Parliaments themselves, by armed Forces, dissolving Parliaments by the Sword alone, without writ or legal power;

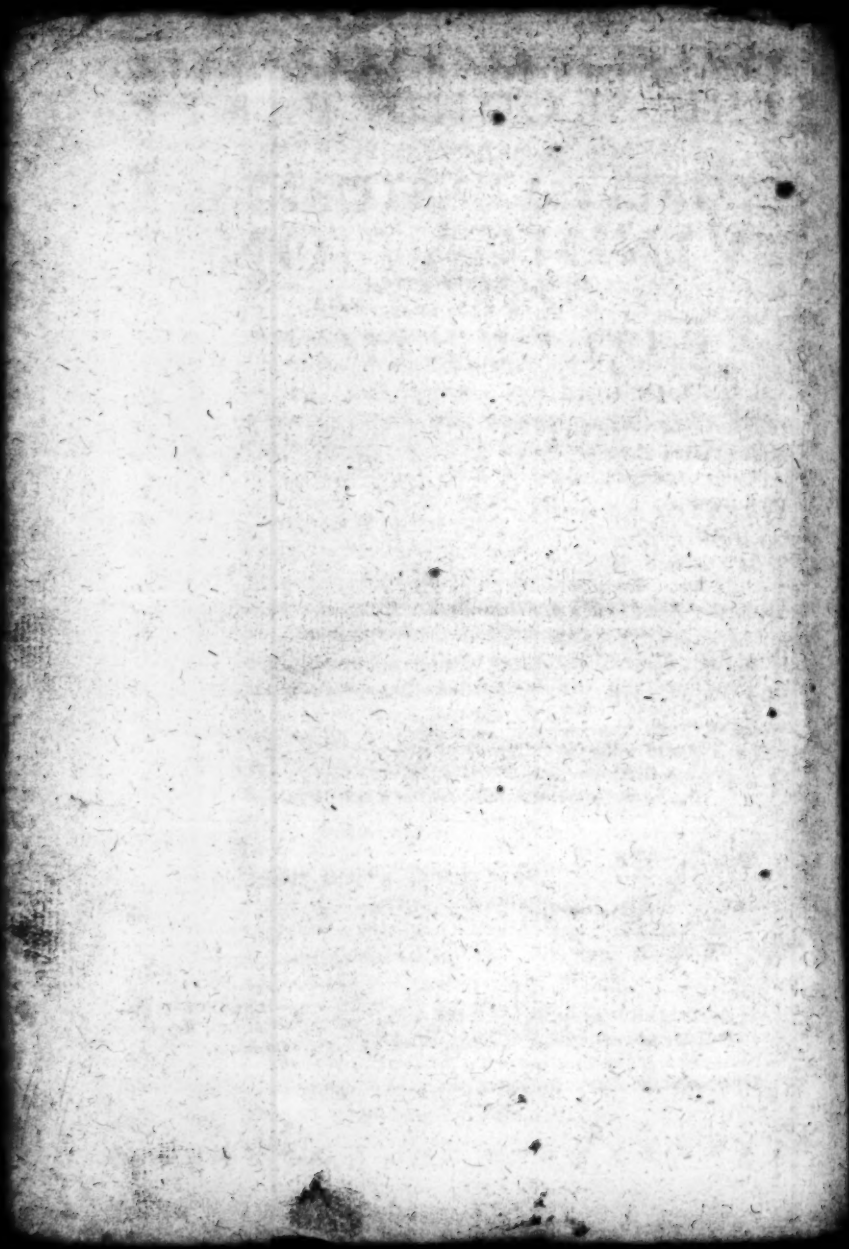
power, contrary to Acts and Privileges of Parliament, by creating New Legislation, Taximposing, Self-created Powers, (not allowed by the People) at Whitehall and elsewhere, not to be paralleled in any age. By creating New Treasures contrary to the old ones, and the Statute of 25 E. 3. and condemning Sequestrating, Imprisoning, excommunicating English Peers and Freeman, only for their loyalty, Duty to their Lawfull Sovereigns, and defence of the Rights, Privileges, Liberties, Laws of the Kingdom, Parliament, Nation, according to their Oaths, Protestations, League, Covenant, and Gods own Precepts, against the publique Enemies, Opponents, Persecutors, Injuriers of, and Conspirators against them. By making publick wars at Land and Sea with our Christian Protestant Brethren, and other Nations and concluding Leagues, Truces without common consent or advice in Parliament. By alienating, selling, giving, squandering away the ancient Demesnes, Lands, Honours, Rents, Revenues, Rights & Substantives of the Crown of England, (yea of Scotland and Ireland likewise) to Officers, Soldiers of the Army, and others, for pretended Arrears, Services, or inconsiderable values; which should defray all the constant ordinary Expences of the Government, publique State Officers, Embassadours, Garrisons, Navy, Courts of the Kingdom; and ease the People from all kind of Taxes, Payments, Contributions whatsoever towards them (except in extraordinary emergent cases and necessities in times of war, requiring extraordinary expences for their publique safety supplied by Aydes and Subsidies granted only by common consent in Parliament only, and not otherwise) which now must be wholly, or for the greatest part defrayed by the People alone, out of their own exhausted private estates, by endless Taxes, Excises, Contributions (as appears by the 27, 28, 29, 30. Articles of their New sounding Instruments forfeited on) whiles others, without right or legal Title, enjoy the old standing Demesnes, Lands, Rents, Revenues and Perquisites of the Crown for their private advantage without any Acts of Resumption (usual

" See Mar.  
Paris p. 306.  
308. Grafton,  
p. 90. 149.  
Daniel, p. 78.  
79, 83, 123.  
1 R. 2. Rot.  
Parl. to 148.  
1 H. 4. n. 100.  
6 H. 4. n. 14.  
15. 8 H. 4. n.  
52. 1 H. 3. c.  
6. 28 H. 6.  
rot Parl. n.  
53. 31 H. 6.  
c. 2. 33. H. 6.  
n. 47. 4 E. 4.  
n. 39. 12 E.  
4. n. 6.

(\* as used in all former ages) to keep the Kingdom from becoming Banrupt, and people from oppression) which should ease the people of those insufferable confusion, burthens lately laid upon them, against all Justice, Law, Conscience; and make insufferable waste, and spoyles of the Nobility Houses, Timber, Woods, Mines, Forrests, Parks of the Crown, without restraint, to the Kingdom extraordinary prejudices; for which they ought to give an Account and make full reparations, if the Earl of Devonshires case, Cook 11 Reports f. 89. 90, 91. be Law. And by sundry other particulars (requiring whole Barrenness, to excite and specify to the full;) is so well known by dayly experience, and multitude of Presidents fresh in memory, to our whole three Nations, that I shall here no further insist upon them. all which experimentally confirm the truth of our Saviours own words, *Iohn 10, 1, 10. Verily, verily I say unto you, He that entereth in by the Door into the Sheepfold, but climbeth up some other way, the same is a Thief and a Robber. The Thief cometh not but steal and to kill, and to destroy. Whatever his pretences be to the contrary. And this rule of Johannes Angelus Wunderrhagen: Politia Synoptica, lib. 3. c. 9. sect. 11. p. 3. 10. Hinc Regula hoc notandum. Quod cum Regnum et Armata acquisitum in iustitia Subditis Semper Indurioris Servituti conditionis arripit. Hinc a principio Discordia et pravitudo spirare videatur; (which we now find most true, by sad, sensible experience) Ideo nullis hoc cavendum, Ne vitare se seducti possint.*

**FINIS.**





# THE SECOND PART

## OF A SEASONABLE

# LEGAL and HISTORICAL

# VINDICATION,

## and CHRONOLOGICAL

# COLLECTION

Of the Good old Fundamental Liberties, Franchises, Rights, Lawes, Government of all English Freemen; their best Inheritance and only Security against all Arbitrary Tyranny and Egyptian Taxes.

Wherein the extraordinary Zeal, Courage, Care, Vigilancy, Civil, Military and Parliamentary Consultations, Contests, to preserve, establish, perpetuate them to Posterity, against all Tyrants, Usurpers, Enemies, Invaders, both under the ancient Pagan and Christian Britons, Romans, Saxons. The Laws and Parliamentall Great Councils of the Britons, Saxons.

With some General Presidents, concerning the limited Powers and Privileges of our British and first Saxon Kings; the Fundamental Rights, Liberties, Franchises, Laws of their Subjects; the severe punishments of their Tyrannicall Princes on the one side, and of unrighteous Usurpers, Traitors, Regicides, Treason, Perfidiousness and Disloyalty on the other (recorded in our Historians) are Chronologically Examined, and presented to publick View, for the benefit of the whole English Nation.

By WILLIAM PRYNNE of Swainswick, Esquire.

Prov. 22. 28. Remove not the Ancient Land-markes, which thy Fathers have set.

2 Sam. 10. 12. Be of GOOD COURAGE, AND LET US PLAY THE MEN FOR OUR PEOPLE, and for the Cities of our God; and the Lord do that which seemeth him good.

Dan. 7. 25, 26. And he shall think TO CHANGE TIMES AND LAWS; and they shall be given into his hand, until a time and times and the dividing of times. But the Judgement shall sit, and they shall take away his Dominion, to consume and to destroy it unto the end.

London, Printed for the Author, and are to be sold by Edward Thomas dwelling in Green Arbour, 1655.





## ERRATA.

IN the Epistle p. 2. l. 38. r. 1540. p. 5. l. 10. r. *secure*,  
p. 9. l. 2. 5. r. s. p. 10. l. 37. r. *Kings, Queenes*, p.  
16. l. 3. dele *they*. p. 19. l. 2. 1503. r. 1602. p. 22. l. 1.  
*proceeding*, p. 24. l. 20. *Oath of Supremacy*, p. 25. l. 24.  
*for this*: p. 27. l. 4. r. 1653. p. 35. l. 20. r. *and our reli-*  
*gion from*, &c. p. 47. l. 18. *Constantine*: l. 26. for, if: p.  
51. l. 2: & p. 52. l. 37. twenty four, r. *fourty two*: Margin.  
p. 20. l. 1. *whether*.

In the Book, p. 2. l. 19, 20. r. *each single*, p. 39. l.  
19. *Dubietur*, p. 41. l. 11. *quod*, p. 47. l. 13. *Christia-*  
*nismum*, p. 53. l. 29. *reservations*, p. 62. l. 9. by r. of, p.  
64. l. 20. *Subditos*, p. 67. l. 23. dat, r. *eat*. p. 71. l. 31. r.  
*Schoole*, p. 72. l. 27. dele *a*. Margin. p. 55. l. 29. r.  
*Eventibus*.



*A Legall and Histori call Vindication  
of the Fundamentall Rights, and  
Laws of England.*

**CHAP. III.**

I Have in the two precedent Chapters fully proved,  
That the Kingdome, and Freemen of England have some  
ancient hereditary just Rights, Liberties, Franchises, Laws  
and Customes properly called Fundamentall, together with  
a Fundamentall Government, no wayes to be altered, under-  
mined, subverted directly or indirectly to the publick prejudice,  
under pain of high Treason in those who shall attempt it, especially by  
fraud, force or armed power; and given you likewise the  
heads of the chiefest of them in X brief Propositions. I  
shall now in the third place proceed in a Chronological way, to  
present you with a large Histori call Catalogue of the severall  
Nationall, Parliamentall, Legall, Martiall publick and private  
confests, great Charters, Lawes, Statutes, Votes, Declarations,  
Remonstrances, Claims, Records, Evidences, Writts, Ombes,  
Vowes, Protestations, Covenants, Excommunications, Confir-  
mations, Judgments, Resolutions, and principall Authorities in  
all ages, both under the antient Britons, Saxons, Danes, Nor-  
mans and English Kings, till our present times; plentifully, un-  
deniably evidencing, declaring, vindicating, asserting, establishing,  
perpetuating these Fundamentall, Hereditary Rights, Liber-  
ties, Priviledges, Franchises, Customs, Lawes: and abun-  
dantly manifesting the extraordinary zeal, courage, wisdom,  
and vigilance of our Ancestors, to defend, preserve and per-  
petuate them to posterity, without the least violation or dimi-  
nution.

B

I have likewise as well as the former  
Concluded

I shall begin with the highest *Antiquities* extant in our *Histories*, pertinent to my *Thema*, and so descend to those of purer times, relating all of them for the most part (except here and there where the identity of the Subject matter and desire of brevity occasion me to vary somewhat from this intended method) according to their *Antiquity* and *Chronological* series of time, referring such particulars of them as relate to each of the forementioned *X. Propositions* in the second Chapter, only with figures in the margin, designing the *severall Propositions* unto which they have more immediate reference; without reducing these *Historicall Collections* to distinct heads under every *Proposition* in order, as I have proposed them; which course would have interrupted my *Chronological* Method, and caused a frequent repetition of sundry passages, Charters, Acts, Oathes, Records, relating to severall of these *Propositions* for the most part, not to one of them alone, which I shall now avoid by affixing the number of single *Proposition* whereunto they refer in the margin, each wherewith the Reader may easily compare them, with more delight and as much satisfaction, as if I had marshalled them all in rank and file under those distinct *Propositions* whereunto they have relation. As for those *Historicall passages* which contain the severall publick *Parliamentall* or *Martiall* contests of our Ancestors, with their *Kings* and other invading Nations, for their *Liberties*, *Rights*, *Laws*, *Customes*, and great *Charters* in the general, I have annexed no figures unto them, every of them for the most part referring to all or most of these *Propositions* in gross, though not particularly specified in these contestations for them.

And because I intend for the better confirmation of our ancient *Fundamentall Liberties*, *Priviledges*, *Freedomes*, *Rights*, *Laws*, *Government*, and greater benefit of *Posterity*, briefly to passe through the severall successive *Reigns* and *Dominions* of the *Britons*, *Romans*, *Saxons*, *Danes*, *Normans*, as well as of our *English Kings* since the *Conquest*

Conquest (as we usually style it) whereon I shall principally insist, as of greatest, nearest concernment to us of this generation. I shall for order sake, divide this Chapter into distinct *Sections*: the rather, because the largeness of it may occasion the *Stationer* to publish it (as he did the two first Chapters) in *several parts*, as they shall be Printed, the completing of the whole requiring longer time (in respect of my remoteness from the Presse, and the largeness thereof) then the present usefulness of each part, and the longing desires of some Readers after it, would willingly allow for its publication in one whole volume, which every mans purse who desires it, might easily purchase in these necessitous times, as it may do in parcels.

### SECTION I.

Concerning the Ancient Britons captives for their Liberties and Lawes, against Tyrants, and Invaders of their Fundamentall Government Rights, and of their great Councils till the Romans Conquest.

IT is agreed by all our *Historians*, that the Britons were the original known Inhabitants of this Island, from whom it was called *Britains*; but from what foreign Nations the Britons descended, our *Antiquaries* differ in opinion: our later writers herein dissenting from those of former ages, with whom I must begin.

Most of our <sup>(a)</sup> *antient Historians*, and the whole famous Parliament held at *Lincolne*, Anno 28. E. 1. in the learned Letter therein compiled and agreed to be sent by the King to Pope Boniface, to prove the subjection and homage of the Kingdom and Kings of Scotland from time to time to the Kings of England. Jure Domini, as *Supremi Angl.* p. 49. &c.

(a) *Hem. Hun-*  
*don hist. l. 1.*  
*p. 1. Galf. Mo-*  
*num. hist. l. 1.*  
*Math. westm.*  
*Flores Hist.*  
*Elias 3. p. 23.*  
*24. Ponticus*  
*Virumius hist.*  
*l. 1. Polychro-*  
*nicon, Fabian,*  
*and sundry*  
*others.*

*walsingh. Hist.*  
*Angl. p. 49. &c.*

Lords thereof, by Historiall precedents in former ages, collected out of all Histories and Records then extant) unanimously record, That the Britons originally descended from the Trojans; that they arrived here in Britain about the dayes of Ely the Priest, under Brute their first King, who divided it at his death into three distinct parts and Kingdomes between his three Sons, leaving that part thereof nowcalled England (then *Logrin*) to *Loormus* his eldest Son and his Heirs, as an hereditary, not elective Kingdome, according to the custome of the Trojans;

(b) *Tho. wal-*  
*singham. Hist.*  
*Angl. An. 1232.*  
*p. 50.*

(b) *Petebat enim Troiana consuetudo, ut dignitas Hereditaria primogenito perveniret;* as our Historians; and that whole Parliament of 28 E. 1. resolve. So that an hereditary Kingdome and monarchicall Government by Kings, was the originall Fundamentall Government settled in this Iland by Brute; and that as well in those parts thereof since called Scotland and Wales, as England, which all our (c) Historians, asserting this originall of the Britons unanimously attest, with that answer which Diana gave unto Brute before his arrivall in Britain, when she directed him to come and seat himself therein, further evidenceth, if we may give any credit herunto.

(c) *Galf. Mo-*  
*num. hist. l. 1. c.*  
*11. Matb. West.*  
*Flores hist. p. 16,*  
*17. Ponticus*  
*Virun. hist. l. 1.*

*Brute sub occasu Solis, trans Gallica Regna*  
*Insula in Oceano est, undique clausa mari:*  
*Insula in Oceano est habitata Gigantibus olim;*  
*Nunc deserta quidem, Gentibus apta tuis.*  
*Hanc pete, namque tibi sedes erit ille perennis,*  
*Hic stes natus altera Troja tui.*  
*Hic de prole tua reges nascentur, & ipsi*  
*Totius terre subditus orbis erit.*

With this concurrerth the more authentick testimony of (d) *Cornelius Tacitus*; The Britons heretofore were governed by Kings; now they are divided by petty Princes into Parties and Factions: with that of *Pomponius Mela*, Britain bringeth forth Nations, and Kings of Nations.

(d) See *tamd.*  
*Brit. p. 29, 30.*

The





destroying those *few Giants* which formerly possessed it; and then building a *City* which he styled *Trinovant* (now *London*) *de civitate antea vocata Trebana, dedique legemque pacemque instituit.*

In this History of our first British King *Brute*, we have these remarkable particulars.

1. A Warre to shake off *Slavery*; and recover publick Liberty.

2. A kinde of Generall Parliamentary Councell summoned by *Brute*, of all the Elders of the Britons, to advise of Peace, Warre, and of their common safety and affaires.

3. A resolution against killing even a Tyrannicall oppressing King, taken in the field in Battle, out of Covenantment to enjoy his Crown and Dominions, as a most wicked act.

4. A setting of an hereditary Kingly Government in this Isle upon the very first plantation of the Britons in it.

5. Lawes made and given to the people, whereby they might live peaceably without injury or oppression.

This Kingdome descended in lineall succession from *Brute* and his Posterity, to (f) *Leir* Son of King *Bladud*, who reigning 60. years, and having only three Daughters, *Conilla* *procerum Regni*, by the Councell of the Nobles of the Realme (assembled in Parliament) gave two of his Daughters in marriage to the Dukes of *Cornwall* and *Albania*, with one Molesey only of the third, while he lived; and the whole Monarchy of Britain after his death. After this, *Porrex* slaying his elder Brother *Ferrex* to get the Crown, was slain by his own Mother and her maids for his Treason and Parricide; whereupon civill discord arising a long time, the Kingdome thereby was subjected to severall Kings, who infested one another with mutuall slaughtery, till (g) *Dumwallo* *Molmutius* succeeding his Father *Claba* King of *Cornwall*

in

(f) *Galfs. Monum. Hist. Reg. Brit. l. 2. c. 11. Ponticus Virunnius bish. Brit. l. 2. Mat. Westm. p. 27. 28.*

(g) *Gildas bish. c. 19. Galfs. Monum. l. 2. c. 17. Math. West. p. 51. 52. Tho. R. durni Chron. Dr. Usher De Brit. Eccles. Primordiu. p. 127. 128. Fox. AEs and Monumens Vol. 1. p. 211. 212. Ponticus Virunnius Brit. bish. l. 2.*

in the Crown, slaying the usurping Kings of *Laegia*, *Witer* and *Adama*, reigned alone over them (about the time of *Nathanias*). After which he enacted certain Laws, called *Manning-Laws*; which for many ages after were very famous and generally observed among the Britons; yea also, commended by the Saxons and English, and inserted into *Edward the Confessor's Laws*, being famous till *William the Conquerour's time*. What these Laws were in particular, in relation to the Liberty and Property of the Subject, appears not; but the title proves, that they tended to publick peace, and preservation of the Subjects person and estate from violence. For in his Reign after these Laws published (for confirmation whereof he built the Temple of *Canford* in *Wiltshire*, where he was afterwards buried) *Latrocinium mactatus cessabat, Rapina, furus obstruabatur, nec erat uquam aut violentum autus ingere ret*; The swords of theeves ceased, the cruelties of plunderers and violent takers of mens Goods and possessions were prevented, neither was there any to be found in any place, who would offer violence to any man. Moreover he ordained, that the Temples of the Gods, and Cities, and the ways leading to them, and the Pleights of Husbandmen should enjoy the privileges of Sanctuaries, so as every person who fled unto them through guilt or otherwise, might depart quietly with leave and without distress for his enemy.

After his death (about 100. years before our Saviours Nativity) his two Sons *Brenus* and *Belinus*, by consent divided his Kingdome between them; but *Brenus* the younger Son, arising after the Monarchy of the whole *Island*, was vanquished and expelled by his Brother into *France*. In which *Watte Gortla* King of *Denmark*, availing *Brenus*, was taken Prisoner by *Belinus*, and conspired against *Belinus* by *Belinus*, &c. who called together all the Nobles of the *Island* in *York*, *consilia totum tractantibus*, to debate by their Council (in name of a Parliament) what he should do with *Gortla*, who protested to *Belinus* himself with his Kingdome of *Denmark* to him, to pay him an

Proposition 3.

4. 5.

M. 1160 (1)

2. 1160 (2)

3. 1160 (3)

(h) *Calfo. Mor*

*num. dist. 3. 1*

*Pontius. dist. 3. 1*

*rusian. dist. 3. 1*

*Hist. l. 3. Mor.*

*Westm. Abas 5.*

*P. 33. 34.*

Proposit. 5. 9.

1. 1160 (4)

2. 1160 (5)

Tribute,

Tribute, and to ratifie this agreement by his Oath, and surties  
 Proposit. 5. 6 9: for his enlargement, and ranfome: Whereupon the Nobles  
 resolved, that he should be enlarged upon this condition,  
 which was done accordingly: Conhoratio proceribus cum id  
 iudicatum fuisset attentum prebuerunt cuncti; that he  
 should be enlarged upon these conditions, as the Marginall Au-  
 thors record. After which King Belinus obtaining the  
 Government of the whole Land, Confirmed his Father  
 Molmutius Lawes, commanding upright and stable Justice to  
 be done throughout the Land, and the wayes to the  
 Temples to be marked out in all places with stones, that  
 they might not be ambiguous, being priviledged from ar-  
 rests and violence. This King addidling himself constantly to  
 Justice, the people thereby became more wealthy in few years, then  
 ever they had been in former times. After this Brennus arri-  
 ving with an Army out of France to recover his right,  
 Belinus being ready to encounter him in a set Battaille,  
 Proposit. 9: their Mother mediated a Peace between them, whereupon  
 they lovingly embraced each other: and going to Troino-  
 vau, into concilio quid agerent; having there held a Coun-  
 cell what they should do, they Resolved to send a common Army  
 to conquer France, and other Forain parts, which they put in  
 execution. Here we have matters of Warre and Peace, and  
 Lawes concluded and ratified in and by a Parliament of  
 Nobles in this age.

(i) Galfr. Mo-  
 num. & Ponticus  
 Virunn. hist.  
 Brit. l. 3. Math.  
 west. E. l. 10. c. 1.  
 p. 3. 6. For  
 Acts and Mon.  
 vol. 13. p. 211.  
 212.

Proposit. 5.

King (i) Guithelin, to whom the Crown lineally de-  
 scended from Belinus, married *Martia* a Noble woman,  
 learned in all arts, who invented the Law which the Britons  
 called *Martiana*: which King Alfred approving, transla-  
 ted into the Saxon tongue and called it *Marchen Lenge*. King  
 Edward the Confessor making use of it in the collection and  
 compiling of his *Leyes*, hereafter mentioned. Though  
 this Queen first invented this Law, no doubt it was ra-  
 tified by publick consent of the King her Husband,  
 and the Nobles in their generall Councell in that age,  
 else it could not have the force of a Law, by her bare  
 penning of it. *Guthomas* grandchild to *Guithelin* and  
*Martia*

Mortimer coming to the Crown by descent, governed his people most justly according to these foresaid Lawes, it being his continuall custome, to give due honour to the Gods in the first place, and then to administer right justice to the people. He encouraged Husbandmen in their tillage, and defended them from the injuries of their Lords; and he enriched his Soldiers with gold and silver, so as none of them had need to do any injury or violence to any other.

(1) *Archigallo* his Brother succeeding, degenerated from him in all his actions; for he endeavoured every where, *Robles quosque depressere*, to deposite all that were Noble, and to advance ignoble persons, to take away rich mens goods and money by violence, thereby heaping up infinite treasures: which the Nobles of the Realm refusing to endure any longer, rose up against and deposed him from his royall Throne, creating his brother *Eldur* King in his stead. He, after five years reign, meeting his deposed brother in a wood as he was hunting, ran to him, imbrued, kissed and brought him to his own royall Bedchamber privately, and then summoned *Barones omnes et principes*, all the Nobles and Princes of the Realm to come speedily to his City of *Alclud*; who repairing thither, he feigning himselfe to be very sick, commanded every of them one by one, to come into his Bedchamber to visite him: which they thus doing, he threatened presently to cut off all their heads as they entered singly, unless they would consent to submit themselves again to *Archigallo* as their Sovereign; which they, through fear of death assenting to, he made an agreement between them, and then carrying him to *York*, took the Crown from his own head, and set it on his brothers *Archigallo*. For which memorable self-denying piece of to his brother, he was styled *Eldur* *pater*. *Archigallo* upon his restitution corrected his former errors, deposed all ignoble persons, advanced the Nobility, permitted every man to enjoy what was his own, and administered right justice to his people.

(2) *Emrys* his Son (King after him) treating his Subjects ill, was deposed by them from the Throne of

(1) *Galf. Monum. hist. Brit. l. 3. c. 16, 17. Math. west. p. 56, 57. Ponticus Virramius l. 3. Fabian, Holinshead, Grafton, Speed in the lives.*

(2) *Galf. Monum. hist. l. 3. c. 19. Ponticus Virramius l. 3. Math. West p. 67.*

the

the Kingdome, because he contrarying justice, preferred Tyranny: Edwalla being made King in his place: who instructed by his Predecessors oversights, *Jus ungue reſtitutionem colebat*, followed Law and rectitude, as did others of his successors.

(m) *Galfr. Monum. & Ponticus Virumius hist. Brit. l. 4. Math. West. p. 66 & 7. Fabian, Holinshed, Grafton in the life of Cassibelan,*

Our (m) Histories record, that about 54. years before our Saviours birth, Julius Caesar having conquered France, espying Britain from thence, having learned the name of the Ile and Nation, sent messengers thence to Cassibelan King of Britain, exacting with threats an annual Tribute from him and the Britons to be paid to the Roman Senate, as well as from other Nations, else he should be enforced to transport his Army and shed their blood. Whereupon Cassibelan returned this answer to him in writing.

Cassibelanus King of the Britons, to Cæsar Julius Caesar, Marvellous, O Caesar, is the covetousnes of the Roman people, who thirsting after gold and silver in all places, cannot suffer us placed beyond the World, within the perils of the Ocean, to be quiet, but presume to affect our Tribute and Reveries, which we have hitherto peaceably possessed. Neither verily will this suffice, unlesse renouncing our Libertie we shall make subjection to him, and thereby undergoe perpetuall servitude; therefore Caesar thou hast demanded a shameful thing; seeing the vein of common Nobility flows from Æneas, both to the Britons, and Romans, and one and the same kind of kindred, lives still in both, whereby they ought to be knit together in firme amity. This therefore should have been required of us, not servitude; because we have learned, rather to give this then to bear the yoke of servitude. For we have been so much accustomed to enjoy Liberty, that we are altogether ignorant what it is to obey servitude. Doubtless Liberty if the Gods themselves should endeavour to take from us, verily we should strive with all our might to resist them, that we might retain it. Be it known therefore to thee Caesar, That we are prepared and resolved to fight for it, and for our Realm; if, as thou hast threatened, thou shalt begin to come upon the Isle of Britain.

Here-

Hereupon *Cesar* preparing his Navy and Forces, arrived with his army at the mouth of *Thames*: the Britons though at civill warres among themselves before, upon this necessity, united themselves together to oppose the Romans, and communi consilio, (as <sup>(n)</sup> *Cesar* <sup>(n)</sup> *Comment. l.* himself and others write) by common advice and assent, <sup>5. John Stow</sup> (in a Parliament of that age) elected *Cassibelan* for their <sup>his Survey of</sup> *Generall*, and committed the managing of the Warres to <sup>London p. 2.</sup> him: who gathering the whole strength of the Britons <sup>Speeds Hist. of</sup> together, *consilium querens a Principibus Regni*, as some, <sup>Great Britain</sup> and a *proceribus suis*, as others record; taking counsell <sup>p. 48.</sup> with the Princes of the Realme and his Nobles, how to repulse the enemies, they resolved to resist their Landing, and to assault them in their tents, before they had fortified themselves, or taken any Towns, and so to repell them. Which advice they pursuing, opposed their landing, and forced the Romans that were landed to their ships, and compelled *Cesar* to returne into *France*, as our British Historians assert, though *Cesar* in his *Commentaries*, to cover his dishonour, relates the contrary. The year following *Cesar* recruiting his Army landed again in *Cornwall*, and was repulsed by *Cassibelan* the second time with great losse. Whereupon *Cassibelan* joyfull of his victory, returning to *Troinoyant*, *Edictum fecit*, ut omnes *proceres Britannie*, *Convenirent*, made an *Edict*, that all the Nobles of Britain should assemble together at *Troinoyant*, to offer publick prayes and Sacrifices to his Gods, who had made him so triumphe over so great an Emperor as *Cesar*. At this assembly, *Evelin* Nephew to *Androgeus* Duke of *Trisnoyant*, playing with *Herelgas* Nephew to *Cassibelan*, upon a sudden quarrell between them, cut off *Herelgas* head; at which the King being very angry, commanded *Evelin* to be brought before his presence, and to be ready, *sententiam quam proceres Dictarent*, or *talem sententiam quam proceres Regni iudicarent subire*, to undergoe such a sentence and judgment as the Nobles and Peeres of the Realme should pronounce, that *Herelgas*

Proposit. 2.



\* Or, si quis  
adversus ali-  
quem suorum  
querimoniam  
haberet, as o-  
thers render it,

might not remain unrevenge'd, in case he were unjustly slain. Androgeus suspecting the Kings minde towards his Nephew, answered, *Meum nam curam habere et in illa diffiniri debere, \* quicquid aliquis in homines suos clamaret: Si ergo relictudinem Evelino decrevisset appetere, ipsum in urbe Troinovanto ex veterum traditione recepisset.* That he had his own Court, and that in it what ever any one complained of against his men, ought to be determined, therefore if he decreed to desire justice against Evelin, he might receive it in the City Troinovante, according to the custome of the Ancients. Upon this answer, they departing discontented one from another, Cassibelan threatned to invade and waste Androgeus his Country with fire and sword, unless he delivered up his Nephew to justice; which he peremptorily refusing, Cassibelan wasted his Country accordingly, notwithstanding all his entreaties by his kindred and friends to divert him from it. Hereupon Androgeus sent messengers to Caesar, complaining of this ingrate and injurious violence, and craving assistance from him against Cassibelan, (who endeavoured to disinherit him of his Country by whose means he had inherited his own, and gotten the victory over the Romans) promised to joine his forces with him, and so make him Lord of all Britain, if he would by his power restore him to his former dignity and possessions: for which he giving Hostages to Caesar; he thereupon returning into Britain routed Cassibelan and his whole Army by Androgeus his means, and besieged him in a steep mountain to which he fled, where he was very likely to be taken prisoner in a few dayes by famine. Cassibelan thus distressed, sent to Androgeus, to remit the former injuries he had done him, and to make his peace with Caesar. Upon which he returning to himself, taking pity on his own nation, and Sovereign, though he had done him so much injury, repaired and used these memorable words to Caesar.

Behold thou hast sufficiently revenged thy self upon Cassibelan, and subjected Britain to thee by my assistance; *Noluerunt dii omnipotentes nostri, ut Dominum nostrum inerte*  
tut-

terribilissima condemnari, aut vinculis patine irretiri. Habeo igitur misericordiam deo & Quia me bibetate ipse periclitari non poterit, cui auxilium meum reddere non erubescam, nisi consilio meo paruerit. For our omnipotent Gods will not that I should suffer my Lord and King to be condemned to a most shamefull death; or to be bound in Chaines. Have mercy therefore upon him; because whiles I live he shall not be in danger; in whom I will not be ashamed to contribute my aide, whilste thou wilt obey my counsell. (O the memorable faith and Loyalty of this much oppressed, injured Noble Pagan Briton, to his Soveraign in his distresses, notwithstanding all his former injuries and oppressions, worthy all heroick Saints and true Christian Loyall English Subjects imitation, and shaming some strange extravagant contrary practises of late times!) Upon which speech, Cesar being pacified, made this agreement with Cassibelan: That he should promise to render to Cesar and the Romans, three thousand pounds of silver every year, by way of Tribute. And so being made friends they bestowed mutuall gifts on each other. After which Cesar wintering in the Island, returned in the Spring with his Army into France, and from thence marched towards Rome, & gainst Pompey.

From these few passages of the ancient History, obvious and till the Roman Conquest, it is apparent, as I have

1. That the antient Fundamentall Government of the Britons in this Island, was only an Hereditary Kingship and Dominion. And although, about Cæsars time, they had many petty Kings and Kingdoms, yet these Kings had the style, honor, power of Kings, within their respective Kingdomes, and were hereditary, as Tacitus, Dion, and others cited by (q) Mr. Camden attest, as well as our British stories.

2. That the British Kings were obliged to governe their subjects justly, and righteously, according to the established Lawes of those times, which secured their Liber-

(q) See Camd. Brit. p. 15, 29, 30, 32, 35, 41, 43, 44, 48, to 53. Speed Hist. p. 47, to 51. Dr. Usher de Brit. Eccles. Primord. c. 4.

(r) See. *Camd.*  
*Brit. p. 15, 30.*

ties, Properties, Goods, Lives against all violence and arbitrary Tyranny, Rapines, Taxes.

3. That the (r) Britons had their nationall Councels or Parliaments, consisting of their Kings, Princes, and Nobles, wherein they consulted of all weighty affaires, concluded of Warre and Peate, and enacted and confirmed publick Lawes. And the rarity of these Common-Councils (by reason of their intestine discords) was the greatest help and advantage the Romans had to conquer them, as Tacitus observes in the life of Agricola.

4. That they had Legall and proper Courts for trying all differences, and malefactors according to their Lawes and ancient Customes, and tryals by their peers.

5. That they were very zealous, carefull and courageous to defend their Liberties, Properties, Lawes against all Tyrannicall oppressing Kings, Usurpations and forain Invaders, and to spend their lives in their defence, not induring Slavery, Bondage, or Tributes.

6. That their Nobles were persons of greatest power, had ingreat respect, and consulted with by their Kings upon all occasions, as their Great Councils, they doing nothing of moment but by their advice and consent.

7. That though they were stout opposers of Tyrannicall oppressing Princes, yet they were very Loyal and obedient to those who were just, and never offered violence to any of their persons, whom they deposed for misgovernment. And so much concerning the ancient Britons before and till their begun Conquest by Julius Caesar, before our Saviours Nativity 54. years.

SECTION

SECTION I I.

Concerning the Britons Contest and Warres against Tyrants and forain Invaders for their Liberties, Country, Lawes, and their Great Councils (or Parliaments) from Cæsars Conquests, during the Romans Dominion, and untill the Saxons supplanted them, and succeeded in their places.

**A**fter the death of Cæsar and Cassibelan the Britons continuing for a time under the Government of their own hereditary Kings. \* *Tennantius* the next succeeding King, though he was warlike, yetting *Justitius* his Son, judging him, being educated by *Augustus Cæsar*, still into a great friendship with the Romans, *in eum posse Tributum eorum dimittere, gratis impendebat*, so that he freely bestowed their Tribute on them, when as he might have demanded it, being imposed on *Cassibelan* only by the power of the invading sword of Cæsar without right, which bound neither him nor the Britons in Justice or conscience, both *Cæsar* and *Cassibelan* being dead. In the 5. year of his Reign our Saviour Christ was borne.

In the 7. year of our Saviours Nativity *Guidius* succeeding his Father *Nymetolus*, refused to tender the accustomed tribute to the Romans, which none of his Ancestors from the time of *Julius Cæsar* durst so refuse. Hereupon Anno Christi 44. the Emperor *Cladius* with a great Army invaded the Island, to conquer and reduce it under Tribute, who was encountered and routed by *Guidius* at the first, but he being afterwards slain by the policy

\* *Galfr. Mon. hyst. 1.4. c. 11.*  
Ponticus Viror.  
1.4. c. 11. p. 107.  
Anno Dom.  
22. 44. 52.  
\* *Galfr. Mon. 1.4. c. 13. p. 107.*  
Ponticus Viror.  
1.4. c. 14. p. 111.  
Ann. 1.4. c. 14. p. 111.

policy of *Laelius Hama*, the Britons being likely to lose the field, *Arviragus* the slain Kings brother, putting on his Armes, encouraged the Britons so, that they forced the Romans to forsake the field. *Claudius* afterwards besieging *Arviragus* (who succeeded his brother) in Winchester, they fell to a treaty, *Claudius* proffered *Arviragus*, that he should marry his daughter, and hold the Kingdom of Britain peaceably from the Romans under the ancient Tributes upon which, *Raeterius* majores natu *Arbirego* promissionibus *Claudii* acquiescere. The elders (assembled no doubt in counsell about it) perswaded *Arviragus* to consent to *Claudius* his promises, for they said, it was no disgrace to him to be subject to the Romans, seeing they enjoyed the Empire of the whole world: *Paruit Arviragus & consilio suorum* *Cesaris* subjectionem fecit: *Arviragus* obeyed, and by the advice of his counsell did homage to *Cesar*. Anno Christi 92. *Arviragus* refused to be any longer subject to the Roman power, or to pay them Tribute. Wherupon *Claudius* sent *Vespasian* to reduce him to obedience: who after one battaille fought with great loss on both sides, came to an agreement. After which Anno 43. *Joseph* of *Arimathea* with XL. more of *Phillips* Disciples arrived in Britain, and preached the Gospel boldly: on whose Preaching *Arviragus* (convinced by his Nobles and People, hearing such new and uncustomed things, utterly refused to consent to their Doctrine: either should they change the traditions of their Fathers; or because they came from far, and their living held forth modesty and necessity, the King at their Petition, granted them the Isle of *Glastonbury*, then horrid and untilld, surrounded with woods, bushes, and lakes, so inhabitable. Which grant his two next successors *Mertius* and *Guilius* (who exercised Justice and Law, revered the Nobles of the Realme, and paid the Tribute to the Romans, because all the world was subject to them,) by his example confirmed, giving to each of them one hide of Land in place (to this day called the 12. hides of *Glastonbury*) confirmed to the Abby of *Glastonbury* after

St. John. *Erasmus*  
anth, *Malmesb.*  
and others, ci-  
ted by *Bishop*  
*Usher* de Brit.  
*Eccles.* *Primor-*  
*diis* c. 4.  
*Mat. Pa. k. Anti.*  
*Brit.* p. 3.4

1240. *W. A. Com.*  
73. 9. *Call.*  
*Mon.* 1.4.6. 12.  
18. *Romulus*  
*Virtus.* 1.4.

afterwards by the *Charters* of many of our *Christian Saxon Kings*, ratified in their great Councils and Parliaments.

By these passages It is clear, That Taxes and Tributes not granted and assented to in Parliament, though imposed by a *Conquering Invader*, binde not the Nation, or succeeding *Kings*. That matters of Peace and Warre were determined in Common-Councils and Parliaments in that age; That no publick change in Religion or Customes could be made without the Kings and Nobles consents; and that the grant of the King of any Crowne Lands without common consent in Parliament, bound not his successors, unlesse they specially confirmed them by their new Charters.

How many bloody Battails with various successe the *ancient Britons* under the conduct of their Kings and Queens fought against the *Roman Emperors*, *Claudius*, *Vespasian*, and their *Generals*, Officers and Forces after *Julius Cæsar*'s time, for defence of their *Native Liberties*, Rights, *Lanes*, Government, Country, and to exempt themselves from all Tributes, Taxes, Purveyances, imposed on, or exacted from them by the *Romans*. How impatient they were of bearing any Taxes or Imposts, they never knowing what *servitude* was, being borne only for themselves, and always free unto themselves, free from all contagion of Tyranny. How oft they revolted from, and rebelled against the *Romans* from time to time for their Oppressions, Taxes, turning them out of their ancient inheritances by force, and using them rather like *Slaves* then *Freemen*. You may read at large in *Cornelius Tacitus*, *Annal.* l. 14. and in the life of *Agriкола*, in *Mr. Camden*'s *Britannia*, p. 24, to 48, *Speed*, *Holinshed* and others, and more especially in the notable Speeches of *Caratacus* and *Gulgo*, encouraging the *Britons* manfully to fight for their Country, Liberty, *Lanes*, &c. recorded in these Authors; the later of them thus justly

D

Taxing



(a) Tacitus in  
vita Agricola.  
Camd. Brit. p. 58

\* Is not this  
our condition  
now ?

taxing the Romans Usurpation, Ambition, Covetousnesse, Rapines and Tyranny in these words; (g) Robbers they be of the world, who having left no more land to spoile, now search also the Sea. If their enemies be rich, they covet their wealth; if poor, they seek to gain glory; to \* take at any by main force, to kill and spoyle, they falsely terme Empire and Government: when they lay all waste as a Wildernesse, that they call Peace. That every man should hold his own children and blood most dear, nature hath ordained: and even those are pressed for souldiers and caried away to serbe as slaves elsewhere; our substance they drave from us for Tribute; our Corne for provision; our very Bodies and Lands they wear out and consume, in paving of Bogs, and ridding of Woods, with a thousand stripes and reproachfull indignities besides. Slaves yet, which be born to bondage, are bought and sold once for all, and afterwards fed and found at their own expences. But Britain daily buyeth, daily feedeth, and is at deely charge with her own Bondage. And as in a private rutine of household servants, the freshman and last comer is laughed and scoffed at by his other fellows, even so in this old servitude of the whole world, our destruction only is sought, as being the latest and vilest in account of all other, &c. We as yet were never touched, never soiled, never subdued, as men therefore that mean to maintain their Freedome, not for the Present but for ever, let us shew straightwayes in the first joyning, what manner of men, Caledonia reserved in store for her self, &c. It is not by their own vertue, but by our jarrings and discords that yet the Romans are grown into fame: to our shame be it spoken, many of our own Nation, now lend their lives to establish a foreign Usurper, not out of any loyall affection, but out of fear and terrour, weak linkes and bonds of love. Remove but them once, those who shall cease to fear, will soon begin to hate. The free Cities are discontent and in factions, while those who are under them, obey with ill will, and they that do govern, rule against right. Here is the Generall, and here is the Army; there are the Tributes, here be the metall mines, and other miseries inseparably following them that live under the subjection of others; which

which either to continue or endure for ever, it lyeth this day in this field. Wherefore as you are going to Battle, bear in your minds, both the Freedome of your Ancestors, and the Bondage of your Posterity. Upon which Speech they manfully fought with the Romans, preferring their Liberties before their lives.

About the year of Christ 50. the Romans extraordinarily oppressed the Britons under Claudius the Emperor. *Letus* Tacitus Annal. l. Decianus their Procurator, renewed the confiscation of their 14. Speeds Hist. goods, which Claudius had pardoned. The Roman Colony of great Brit. p. at Camolodunum, thrust out the ancient Inhabitants, 66, 1070. Camd. seating themselves in their possessions, without any other Brit. p. 49 50. recompence but reproachfull termes, calling them, their drudges, slaves and vassals, and the Temple there erected in honour of Claudius, was now become an eye-sore to them, as an Altar of their perpetuall subjection, whiles the Augustall Priests there attending, wasted all their wealth under pretext of Religion. And that which was their greatest grievance, Prasutagus King of the Iceni, famous for his riches, which he had been a long time gathering, by his will made Claudius and his own two daughters his heirs; thinking by his flattery to make his Kingdom and house sufficiently secure from Injuries: which fell out quite contrary: for his Kingdome by the Roman Centurions, and his house by Slaves was seised on and spoyled as lawfull booty, his wife Boadicia whipped, his Daughters deflowred, the chiefeest persons of that Province dispossessed of their lawfull Inheritance, and the Kings kindred reputed and used as slaves. Hereupon the Icenians began seriously to discourse of their present bondage and miseries, made subject to a Lieutenant, which sucked their blood, and to a Procurator that sought their substance, whiles with a servile fear they yealded to please the meanest Souldier, as though the Heavens had framed them only for servitude, and the earth appointed to bear their injuries unrevenged; and meeting together in secret consultations, they ripped up their wrongs and oppressions, and aggravated them to the highest, saying, that no other good was to be looked for by their sufferance, but that more grievous burdens should

Proposit. 1. 4.

Is not this  
Englands con-  
dition now?

should be imposed upon them still, as men ready to bear all willingly, &c. That the Roman Souldiers from whose unsatiable avarice and unbridled lust nothing was free, were but a bandfull in respect of the Britons: that if they would but endeavour to follow the prowess and valour of their Ancestors, and not be dismayed with the doubtfull successe of one skirmish or two, they would soon enforce them to recede out of the Island, &c. In fine they resolved, That Liberty was to be preferred though bought with their lives, and Bondage to be avoided if not otherwise then by their deaths. Whereupon chusing Boadicea for their Leader, they furiously fell upon the insulting oppressing Romans, slew no lesse then seventy thousand of them and their confederates, sacked and plundered their free Town Verolamium, resolving to extirpate and drive them out of the Island. Upon this Suetonius the Roman Governor collecting all the Forces he could raise against her, She made a most gallant encouraging Oration to her Britons, thus aggravating their oppressions. *What abuse can be so vile that we have not suffered, or indignity so contemptible, that we have not borne, my stripes, yet felt and seen against their own Laws, do witnesse well what Government they intend. Your wealth is consumed by their wastfull wantonnesse, your painfull travels upholding their idlenesse, do seal the issues of our succeeding miseries, if not timely prevented by one joynt endevour. You that have known the Freedom of life will with me confesse (I am sure) that Liberty (though) in a poor estate, is better then fetters of gold; and yet this comparison hath no correspondency in us, for we now enjoy no estate at all, nothing being ours but what they will leave us, and nothing left us that they can take away; having not so much as our very heads to be free. Other subdued Nations by death are quit from Bondage, but we after death must live servile and pay tribute even in our graves. Have the heavens made us the ends of the world, and have not assigned us the ends of our wrongs? Or hath nature among all her free works created us only Britons, for bondage? Why, what are the Romans? are they more then men, or immortal? Their slain carcasses sacrificed by us, tell us, they are no Gods. But you will say, they are our Conquerors. Indeed overcome we are, but by our selves, our own factions still giving way to their*

their invasions. Our dissensions have been their only rising; and our designs been weakened by homebred Conspiracies. We have as much to keep as birthrights can give us, that is, our Island possessed by our Ancestors from all antiquity; ours by inheritance, theirs by intrusion, claimes so different in the scale of Justice, that the Gods themselves must needs redresse. Whereupon the Britons fighting valiantly, lost eighty thousand of their lives to redeem their Liberties; and Boadicea seeing her Army routed, chose rather, out of a noble spirit, to end her life and miseries together by poyson, then to live under the Roman bondage and see her Country languish under their intolerable oppressions.

About the year of our Lord 179. (or rather 185.) (1) An. Dom. 184.  
Lucius King of Britain (who succeeded his Father Coillur (1) Mat. west.  
by descent) being converted to the Christian faith with An. 185. 187.  
most of his Nobles and Subjects (the first Christian King Galfr. Mon.  
and Kingdom in the world) petitioned Pope Eleutherius L. 4. c. 19, 20. L. 5.  
(as the marginall Authors testifie) Ad Petitionem Regis, c. 1. Ponticus  
et procerum Regni Britannie (assembled no doubt in a Virun. L. 4. & 5.  
general Councell when they made and sent this Petition) Lambards Av-  
to send a copy of the Imperial Roman Laws to govern the choica. Bishop  
people by: who returned the King this answer in writing. Jemel reply a-  
gainst Hard ng  
Artic. 3. divis.

You have requested from us, that the Laws of Rome and Caesar 24. p. 141, 142.  
might be sent over, which you desire to use in the Realm of Britain. Antiq. Ecclsi.  
The Roman and Caesars Laws we may always reject, but the Brit. p. 5. 6. Fox  
Law of God in no wise. You have received of late through Gods Ales and Mon.  
mercy in the Realm of Britain, the law and faith of Christ; you vol. 1. Spelm.  
have with you in the Realm both Testaments, out of them by Gods Concil. p. 32, 34.  
grace, per consilium Regni bestri sumo legem, by the Coun- 35. Harisons  
cell of your Realm take a Law, and by it through the patience of Descrip. of Brit.  
God govern your Realm of Britain; For you are Gods vicar in L. 1. c. 9. Godwin  
the Realm, &c. The Kings children are the Christian Nations Conversion of  
who live and consist in the Realm under your protection and peace, Brit. Dr. Usher  
according to that in the Gospell, As the hen gathereth the de Ecclesi. Brit.  
chickens under her wings; the Nations and people of the Primordii c. 3.  
Realm are yours, which being divided you ought to congregare into 4. 5. Holinshead,  
one, to reduce to concord and peace, and to the faith and Law of Speed, Grafton,  
Christ, and to the holy Church; to foster, maintain, protect, govern, Siom in the Vis-  
of Lucius.  
Proposit. 3.

and always to defend from injurious and malicious persons and from enemies. Woe to the Realm whose King is a childe, and whose Princes eat in the morning. I call not a King a child from his Nonage, but for his folly, iniquity and madnesse, according to the royall Prophet, Bloudy and deceitfull men shall not live out half their dayes, &c. A King is denominated from ruling, not from a Kingdome. Thou shalt be a King while thou rulest well: which unlesse thou shalt do, the name of a King shall not appear in thee, and thou shalt lose the name of a King, which God forbidd. Almighty God grant you so to rule the Realm of Britain, that you may reign for ever with him, whose Vicar you are in the Realm aforesaid.

Proposit. 5.

(1) *Antiq. Eccles. Brit.* p. 6.

Proposit. 5.

This Epistle shewes, that the power of making Laws was vested only at that time, in this Popes judgment, in the King and his great Councel of the Realm, and that Kings only ought to rule and govern their people righteously, according to the Laws of God and the Realm, as Gods Vicars upon earth, and to protect them from all violence, wrong and enemies. (1) Matthew Parker Archbishop of Canterbury, thus comments on this Epistle: That in *condendis legibus*, in making Laws, the King needed not the Popes authority or assistance, having the books of the old and new Testament, out of which *adhibito procerum consilio*, by the Counsell of his Nobles, he might take holy Laws, without any error, being sufficiently supported with his own, not a forain authority. he being Gods Vicar in his own Realm; and representing his power to his people. After which, this King (by advice and consent of his Princes and Nobles) built and endowed many Churches with Glebes and Lands, abundantly confirming them with Charters and Muniments, and likewise ordained, that Churches and Churchyards should be so free, that no Malefactor or other persons flying to them, should be arrested, or suffer any violence in them.

An. Dom. 201.

(u) *Mat. West.*  
anno 201.

(x) *Tacitus in*  
*vita Agricola.*

*Camd. Brit.* p. 43

King (u) Lucius dying without heir (Anno Dom. 201) thereupon discord arose amongst the Britons, which gave great advantage to the Romans; who though at first they (x) suffered the British Kings to reign under them, making them the instruments of their own and their peoples slavery, by their compli-  
ance

once with the Romans; yet at last perceiving, that divers of the  
 British Kings, to regain their own and their peoples Liberties, did (y) *Mab. West.*  
 oft times rebell and raise up warres and seditions against them: anno 201. Ba-  
 Thereupon after King Lucius his death, to keep the Island *laus Cent. 1.*  
 in greater quietnesse and subjection under them, they made a decree; *Scip. Brit. 30.*  
 That none of the British bloud or race should from thence *Notius l. 9. b. p.*  
 forth be intitled with ioyall dignitie in the Isle; (as the *Scotum. For-*  
 principall means to keep them in perpetuall slavery) and *don. Scotich. ni-*  
 instead of one King, they placed over the Britons in every Pro- *con. l. 2. c. 31.*  
 vince First, a Lieutenant with severall \* Garrison of horse and *Dr. Usher de*  
 foot, who disarmed all the Natives they suspected, sucked the peo- *Eccles. Brit.*  
 ples bloud, and vexed them with Souldiers and Contributions. *Primerid. c. 3.*  
 Next a Procurator and Publicans, who like greedy Cormorants *Concil. p. 35.*  
 and horse-leeches, confiscated their goods, preyed upon their estates, *Camd. Brit. p.*  
 and vexed them with perpetuall exactions, extortions, and reproach- *47. 49. 62. 63.*  
 full abuses. Also a Pretor and Proconsul, with absolute power and *67. Tacit. Ann.*  
 commission to govern them after the Roman Laws; (not permitting *nal. l. 14.*  
 them to use the ancient Laws of their Country) and to minister  
 Justice in all capitall matters with great pompe and severity. So  
 that the Roman Lawes were now only in use and force amongst  
 the Britons, which a learned Poet thus expresseth;

*Cernitis ignotos Latia sub lege Britannos.*

And withall they endeavoured, constantly to nourish discord and  
 division amongst the Britons themselves, and by these wily Po-  
 lices kept them in subjection under them, who yet upon all  
 occasions and advantages endeavoured to shake off the Roman  
 yoke, and restore their native Liberties, Laws, Government with  
 the hazard of their lives, as our Historians largely relate.

About the year of Christ 286. Carausius a Briton, having *An. Dom. 286.*  
 gotten a Commission from Rome, to defend the Sea-coasts (y) *Mab. West.*  
 of Britain from the incursions of barbarous Nations; ray- *ann. 292. &c.*  
 sing great forces under that pretext, promised the Britons, *Galt. Monum.*  
 That if they would chuse him for their King, he would expell the *l. 5. c. 3. 4. 5. 6.*  
 Romans, and free the whole Island from the Barbarians: Where- *Pompeius Pirat.*  
 upon they all consented and made him King; upon which he *l. 5. Holinshed,*  
 denied to pay the Romans their accustomed Tribute. The Senate *Fabian. Oration.*  
 being informed hereof, sent Allectus into Britain to reduce it; *Slew, Speed.*  
 who joyning battail with Carausius, slew him, and made a

great



great slaughter of the Britons, because they revolted from the Roman republick, and subjected themselves to Carausius; who preferred their liberties before their lives. Allectus taking upon him the royall Diadem was soon after slain with most of his Roman Souldiers by Asclapiodorus Duke of Cornwall and the Britons fighting to regain their Liberties; who crowned Asclapiodorus King by common consent: He ruled them for X. years with right justice, restraining the cruelty of Plunders and swords of Robbers, and freed them from the Roman tribute. Coel Duke of Colchester slaying him, and making himself King; the Romans having lost their tribute for above ten years space, sent Constantius into Britain to reduce it under obedience: who no sooner landed, but Coel hearing of his great fame, and victories in other parts, sent Ambassadors to him, craving peace, and promising subjection, which he accepted of, exacting nothing but the usual tribute. Coel deceasing shortly after, leaving one only daughter Helena to inherit the Kingdom, Constantius married and begot upon her that famous Constantine the Great.

An. Dom. 302.  
(a) Pomponius  
Latus, and  
Speeds History.

Proposit. 1.

This Emperor (a) Constantius Chlorus, coming into Britain to govern it about the year of Christ 302. finding the ill effects of others tyranny and rapine, shewed himself very loving, gentle, affable and kind to the people, little regarding his private profit, but altogether reigning to enrich his subjects: and to that end would often say, (I would our late and present Tax-imposing Governours would remember it) That it was more behoovefull for the publick, that the wealth of the Land should be dispersed into the Commons hands, then to lie locked up in Princes coffers (or in such a Common Treasury, as our new Projectors have provided for it by the 28, 29. Articles of their Ill-sounding instrument, after which they would have us henceforth dance.)

Anno 313.  
(b) See Bede  
Eccles. hist. l. 1.  
c. 6. Marb. West.

ann. 313. p. 131.  
Gildas de Excid.  
Britan. Zonaras,  
Paulus, Di-

The (b) Emperor Constantine the Great, his Son (borne and crowned both King and Emperor in Britain) amongst other good Laws, made these two memorable ones, for the relief of poor Christians, injuriously banished, and deprived of their Lands, and Goods by Diocletian, Maximinian, Licinius and others in his life

313. wherein he restored the banished Christians to their native Countries, Lands and former dignities, as the Marginall Authors witness. Which Lawes are recorded in (c) Eusebius de vita Constantini, l. 2. c. 30, 31. The first of them, is intituled, *A Law for freeing (or relieving) banished men;* to this effect. Therefore all those who being brought under the cruell sentences of Judges, at what time soever it befell them, have been compelled to change their Country by exile, because they neglected not what made for the honour of God and Religion, to whom they had consecrated themselves with the whole powers of their souls: All these, I say, being restored both to their hereditary Possessions, and their accustomed tranquillity, may give thanks to God the Father free of all men. And those who having been deprived of their Goods, & oppressed with the losse of their Estates, have hitherto lived a most contemptible life, these being likewise restored to their former houses, families and goods, may cheerfully praise the beneficence of God, who is best and mightiest. The second inscribed, *A Law reducing those who were banished into Islands,* in these words. Moreover we command, that those who are now detained in Islands against their wills, shall enjoy the benefit of this our provision and care, so wit, that whereas hitherto they have been shut up on every side in the narrow cliffs of mountains, and environed with the raging waves of the Sea, being now freed from that bitter solitariness, utterly repugnant to the nature of men, they may return again to their most beloved friends. And whereas they have lived a long time in a filthy, sordid and odious condition, having obtained a returne, as a sudden and unexpected booty, and being freed from cares and troubles, they may hereafter live a life void of fear, under our Empire.

In the year of grace 376. (d) Orosius King of the Britons An.Dom. 379. dying without issue male, leaving one only daughter, there fell out a difference among the Britons, to whom they should marry her, with the Kingdom; as last in the year 379. Magnus Maximianus, the Noble of Britain, that they might obtain a firme Peace concluded (no doubt in a general Council) to send Embassadors to Rome, to tender the Lady with the Crown to Maximian a Roman Senator, Son of Leolin a Briton, Uncle to Constantine the Great; (e) Geoffry of Monmouth and his Epitomiser (f) Ponticus Virungius thus relate the story. The King Orosius being old and having one only Daughter, quæritur ei consiliarius suus, demandat ei Gratian.

(c) See Euseb. Eccles. hist. l. 3. c. 15.

Proposit. 2.

Proposit. 3.

(e) Hist. Regum Brit. l. 5. c. 9.

10, 11, 12.

(f) Hist. Brit. l. 5. See Fabian, Holinshed, of Gratian.

E

his

his Counsellors, whom they desired to advance to be King after his de-  
 cease? Whereupon some of them advised, that he should bestow  
 his daughter together with the Realm, on some of the Noble Romans,  
 to procure a firme peace. Others advised, that Conan his Nephew  
 should be installed in the royall Throne of the Realm, and his Daugh-  
 ter with gold and silver married to some forain Prince. While these  
 things were debating, Caradoc Duke of Cornwall came in, and  
 gave his advice, that they should invite Maximinian the Senator,  
 descended of British and Roman, as well as royall blood, to come into  
 Britain to marry the Kings Daughter, and with her the Realm  
 whereby they should enjoy perpetuall Peace. Which Conan for his  
 own interest opposed, but major pars laudabat, the major  
 part of the Nobles approved it, and consented therunto. Whereupon  
 Caradoc sent his Son Maurice to Maximinian, who related to  
 him, that Octavius being aged and sick, desired nothing more then  
 to finde out such a person of honour, on whom he might bestow his King-  
 dome with his daughter, *consiliumque a proceribus suis quesivit*,  
 and that he had demanded counsell from his Nobles, to whom he  
 might marry his only daughter, with the Crown; That the Nobles in  
 obedience to his command, *Decrederunt ut tibi Regnum et puella*  
*concederetur*, had decreed that the Kingdom with the Damsel should  
 be granted to him, & that they had decreed he should come and give  
 him notice thereof. Whereupon Maximinian embracing the of-  
 fer, came into Britain, and landed at Hampton, with a great  
 train of Souldiers; the King supposing them to be an Army  
 of Enemies, commanded all the forces of the Kingdome to be assembled  
 and march against them, under Conan; which Maximinian, admiri-  
 ring at, and unable to resist them, sent Embassadors to Conan  
 with olive branches, telling him, they were sent from Rome to  
 the King, and required peace till they knew his pleasure. And when  
 Conan doubted whether to give them Peace or Battaille, Caradoc  
 Duke of Cornwall and the rest of the Nobles dissuaded Conan  
 from fighting with them, and advised him to grant them Peace, which  
 he did: who being brought to London to the King, he, com-  
 muni consensu, by common consent of his Nobles gave his Daughter  
 with the Kingdome to Maximinian.

Proposit. 3.

By which it is apparent, that the King without consent of his  
 Nobles in Parliament, could not dispose of his Daughter  
 and

nd heir to the Crown, nor of his Kingdome to another; That the Nobles in that age, were the Kings great Councell and Parliament of the Nation, and that the major part of them swayd: all businesse, in their Councells by the majoriry of voicer; the ends for which I relate it.

In the year 390. (g) Maximus the Tyrant King of Britain, Anno 390, &c. invading Armorica in France, caried such a multitude of Souldiers (g) Mar. West. ann. 39, 391, 392, 420, 421, 434, 435. Galsfr. Monum. & Ponicus Virun. l. 5, & 6. Fabian, Holinshed, Speed, Graffon, Gildas de Excidio Brit. Malinesbur. de Gestis Regum Angl. l. 1. c. 1. Camd. Brit. with him out of Britain, that he left almost all Britain empty of Souldiers and Forces to defend it, carrying all the Souldiers and Warlike young men with him, leaving none but unwanly and country people behinde him; and having subdued all Armorica that year, he styled it little Britain. The next year he sent for one hundred thousand Britons more to people it, and thirty thousand Souldiers out of Britain to garrison the Townes, and the next year he sent for eleven thousand Virgins, and sixtie thousand other persons, to be transported into little Britain; whereby old Britain was almost quite dispeopled, and left destitute of all defence. Hereupon the Huns and Picts invaded and infested the Britons very much, slaying the Britons and waiking their Cities and Towns: the Britons sending to Maximus for assistance, he sent Gratianus a Senator with two Legions to aide them, who slew many of the enemies, and chased the rest into Islands. Anno 392. Maximus being slain at Rome, thereupon Gratianus taking upon him the Crown of Britain, made himself King thereof, after which he exercised so great Tyranny towards the Britons, that the common people gathering together slew him. Whereupon the former expelled enemies returning, oppressed and afflicted the Britons very much for a long time. Upon this the Britons, Anno 420, and 421. sent to the Roman Emperors for aide to expell these invaders, which they sent accordingly, but in small proportion, who chasing away the enemies for the present, then encouraging and teaching the Britons how to defend themselves, and make wals and Fortifications to resist their Invasions, returned back again by reason of other Warres: Upon this, their former enemies infested them more then formerly. At last, Anno 434. in the 8. year of Theodosius the younger, the Romans by occasion of other Warres withdrew all their Souldiers out of Britain, leaving the Britons destitute,

like so many sheep without a Shepherd, exposed to the Wolvish cruelty and depredations of the Picts, Scots, Norwegians, Danes, who forced them to flie from their Cities and Houses into Woods, Mountains, Caves, Rocks, and there to hide themselves from their bloody fury. In this distress they sent Messengers to Rome with this short mournfull relation of their lamentable condition. *Agitio ter Consuli, Gemitus Britonum, salutem: Nos mare ad Barbaros, & Barbari ad mare propellunt: Inter hæc autem duo funtrum genera orimur, aut enim submergemur, aut jugulamur.* The Messengers returning without any aid from Rome, which was denied them, and relating to their Country men their sad repulse, the Britons taking counsell together, how to redeem themselves in this forlorne estate, withhold the payment of their ancient Tribute to the Romans, which they had a long time paid them: and sent Guithelin, Archbishop of London, to their Brethren in little Britain for aid; where being honorably received by King Ambrosius, he acquainted him with the cause of his coming, and the great miseries and distresses of his Countrymen, pressing him with many arguments, to give and receive the Kingdome of Britain, which of right belonged to him, and expelling the Barbarians, to dispose of it at his pleasure, and restore his Country to it pristine estate, which had formerly subdued to it Kingdomes far remote. To which the King answered, I formerly would have acceptell of this offer of the Kingdom of Britain, but in respect of its present misfortunes, it is made more contemptible to me, and odious to my Princes. But above all other evils, the Roman yoke hath so much prejudiced it, that no man can enjoy a stable dignity within it; but he must lose his liberty, and be burdened with a yoke of servitude; and who would not possesse life without liberty, then enjoy the wealth of Britain under a yoke of bondage? Notwithstanding because my Grandfather and great Grandfather have enjoyed that Island, I will deliver to you my Brother Constantine with 2000. Soldiers, which by Gods permission will free the Country from enemies, and being there crowned King, shall possesse the Kingdome with glory and honour. Whereupon Constantine undertaking the expedition, the Archbishop used these words to him; Christ hath conquered, Christ reigneth, Christ commanndeth, let the grace of Christ be therefore present with our King

Anno 434.

Proposit. 3. 9.

Anno 456.

of Britain, who is our defence, our hope, our joy, that he may restore the miserable Island to its primitive liberty. Constantine taking shipping arrived at *Tames* with 2000. Souldiers, to whom the dispersed Britons creeping forth of their holes and dens where they hid themselves, repaired from all parts; and fighting with their enemies, obtained a great victory over them by the diligence and valour of their new King. After which falls in *Cicestis* concione, calling an assembly at *Chichester*, they made Constantine King, and gave him a wife extracted out of the lineage of the noble Romans educated by *Guithelin*.

Anno 445. King Constantine being slain by a Pict, (suborned by *Portigorne*) as he was hunting, there arose a dissension among the Nobles, which of them should be made King; for *Arctius* and *brother* and *Uther*, the Kings Sons, were sent over into little Britain to be educated, and if they had been present, they could not have been so by reason of their childhood. Whereupon *Varigurn* Consul of the *Gravis*, who aspired after the Crown, with all his endeavour going to *Winchester*, and taking *Conflaw* a Monk (Son of Constantine) out of his Cloister, brought him to London, and there made him King; the people scarce consenting to it, because he was a Monk; and adding the part of a Bishop (Guithelin being dead) he set the Crown on the Kings head with his own hands. The King thus crowned referred the managing of all affairs to *Portigorne* alone, who instantly removed all the Castles and Forts of the Realm into his own Souldiers, and having gotten all the Forts and Powers of the Realm into his own hands, he willingly desired, how he might destroy the King and get the Crown for himself. Whereupon he seized upon the Kings treasure, augmented the number of his Souldiers and servants; and persuaded the King to inherit a Guard of one hundred Picts (whom he at his own request and ready to execute any Treason and treachery he should perceive them) to guard his person day and night from enemies. The King at his persuasion entertaining these Picts *Portigorne* enriched them with stipends, and treated them with most delicate meat, that they did in a manner adore him, and cried openly through the streets, that he was worthy to Reign. When he had thus

An. Dom. 445.  
10 498.  
(b) Mai. West.  
Ann. 445. to 498.  
Will. Malmesb.  
Hist. Regum  
l. 1. c. 1. Galf.  
Monum. &  
Ponicus Virun.  
Hist. Reg. Brit.  
l. 6. 7, 8 Henry  
Huntingd. Hist. l.  
2. Ethelwerd.  
Eccles. Brit. p. 99.  
10. Fabian, Ho-  
linshead, Speed.  
Grafian, Siga. in  
the lives of  
Portigorne &  
Aurelius Am-  
brosius.

Have not o-  
thers of late  
times done the  
like?



highly ingratiated himself in the favour of them all, he made them all drunk on a certain day, and then told them with tears, that he would depart out of Britain, seeing he had not enough of his own to maintain 50. Souldiers. After which, departing as it were sorrowfull to his lodging, he left them drinking in the hall, which the Picts hearing of, murmured one to another, saying, *Why do we not we slay the Monke, that Vortigern may enjoy the throne of the Kingdom?* Rising up therefore, being drunke, they made an assault upon the King, and slew him, and brought the Kings head to Vortigern. Which when Vortigern understood, he feigning himself to be very sorrowfull, brake forth into a weeping, that he might palliate the treason committed under the baile of tears. Then calling the Citizens of London together, he acquainted them what had hapned, and commanded those Picts to be slain and beheaded, that he might render his own fraud excused from this wicked act. At last when he saw no man equal to himself, he set the Crown of Britain on his own head and obethment at the Pintes. He being thus advanced, the contagion of all wickednesse began to increase; scurrilous wickednesse, hatred of truth, contempt of God, wrangling, contention, riot, villany grew outrageous; so as Vortigern alone might seem to be a vessell of all wickednesse, and that which is most contrary to royal honesty, Nobles Deppression, depressing the Nobles, and advancing ignoble persons both for manners and blood, he became odious to God and Men. Anno 447. When the iniquity and levity of minde of King Vortigern was divulged to all Nations round about, the Scots and the Picts (one hundred of whose fellow Citizens Vortigern had slain for that Treason which he suborned them to act that he might get the Crown) rose up against him, and most grievously infested him and impugned the Realm of Britain: for consuming all things with the sword, fire, preyes and rapines, they ground to powder the sinfull Nation, because it favored this usurpers roall estate; and thus the common people contaminated together with the King, *communis percellitur ultione*, is pierced through with a common revenge. And as the sword devoured many on the one hand, so the Pestilence did more on the other,

Anno 447.

ther, so as the living were not sufficient to bury the dead. The King therefore with the desolated people, tyred out with warlike incursions, not knowing what he might do against the irruptions of their enemies, inclined to desolation; for Vortigern hereupon awaked with the cries of the people, assembled a Councell (or Parliament) to consult what they should do in this publick distresse, requiring the advice of his Nobles therein. Which our Historians thus relate, *Super statu publico in medium consulti sententias magnatum suorum expozant. So William of Malmebury. Britanni interunt consilium quid elegendum; so Henry Huntingdon; and Ethelwerdus, placuit omnibus cum rege suo Vortigerno; or as Ethelwardus records it, Concessit tota Nobilitas, &c.* As last they all agreed, and all the Nobility together with King Vortigern granted and resolved, that they should call in the Saxons and English out of Germany to their aid, being valiant in armes, and then fixed in no settled place; by which they conceived they should reape a double benefit: for being invincible in armes, they would easily repulse their enemies; and being unfeild, they would reckon it for a very great benefit if they might receive some barren squalid soile and cliffs to inhabit; and that they would never attempt any thing against them, or their Country, because the memory of benefits would mollifie the genuine fierceness of their manners. Which advice appears to be ordered by divine providence (write Matthew Westminster and others) that evill might come upon these evill Britons, and their bloody Usurper. This Counsell being approved by all, they sent eminent men Embassadors into Germany, who might worthily represent the person of their Country. The Germans hearing the businesse, which they of their own accords desired, requested from them with a thousand intreaties, presently sent over Hengist and Horsa with three Ships freighted with Souldiers and Armes; *Explemns petitionem Regis Senatusque.* The King upon their arrivall meets them, bestowes rewards and the people large favours on them: then giving them their faith, they received the Isle of Tames to inhabit. This agreement likewise was made between

Proposit. 5. 2.

tween them, That the English and Saxons with invincible labours should defend the Country against their enemies, and that the Britons should pay them their military stipends, for whose safety they pretended to watch. And thus they received pay and Lands from the Britons, Quasi pro patria pugnaturi, re autem beta expugnaturi susceperunt. (as some of their profession and progeny have done of latter years)

Anno 449.

These English and Saxons (who arrived Ann. 449.) soon vanquished and drove the Scots and Picts out of the Realme, and then taking notice of the Kings and Britons idleness, leudnesse, and the riches of the Isle, Hengist acquainting the rest of his Countrymen therewith, sent over for more forces by degrees, and for his daughter Rowena (a very beautifull maide but a Pagan) whom he married to Vortigern, whereby he incurred the enmity of his Nobles and Sones, and thereupon favoured the Saxons (who promised to establish him in his Throne against his enemies) more then the Britons, bestowing all Kent and Northumberland on the English and Saxons. Upon this the Britons growing jealous lest their new Gardians and Protectors should utterly supplant, extirpate and disinherite them of their native Country by degrees (as they did in the conclusion) they all petitioned Vortigern, to banish them out of the Realme, being Pagans, who ought not to communicate with Christians; but he concerning suorum consilio acquiescente, to follow the advise of his Nobles and native Subjects, thereupon Bagnates Britannie, the Nobles of Britaine, Anno 454. deserting, and then depriving Vortigern of his Royall Power, made his Sonne Mortimer King. Qui transitis suorum in omnibus acquiescens, ubi following their Counsel in all things, began to expell the Saxons, and to restore the Britons to their possession; which the Saxons had invaded, repairing likewise the Churches and Christian Religion, which they had almost quite ruined, till at last he was poisoned by Rowena his Mother in Law, Anni 460. cum quo simul spes et victoria Britannum est evanida, et retro fluxerim. Such an incomparable losse,

Anno 454.

Proposit. 5.

Anno 460.

is a good King to a Nation. *Vortigern* being thus paysoned, *Vortigern* reassuming the Crown, sends privately to *Hengist* into Germany, to come over to him with a small train, lest coming otherwise the Britons should resist him with their united forces. *Hengist* An. 461. lands with 4000 armed men, which being related to *Vortigern* and THE NOBLES OF THE REALM, they were very angry at it, resolving to give him battle; of which *Hengist* being informed by *Romena*, excused the matter, that he came with so great a force for fear of *Vortimer*, whom he thought to be alive: but being now assured of his death, he would commit himself and his people to the Kings disposal, to return or send away so many of them as he should direct, desiring him to appoint a meeting at a prefixed day and place. UT HÆC FIRMARENTUR COMMUNI CONSENSU, *that these* *Propos. 9.* things might be confirmed by common consent: Whereupon the King and his NOBLES appointed a meeting at *Ambri*, in May, for the Britons and Saxons to treat: *Hengist* treacherously commanded all the Saxons that went to the Treaty, to carry long Knives under their Garments, and upon a Signall given by him, that every one of them should kill the Briton that stood next him: Whiles they were treating, *Hengist* took hold of *Vortigerns* clake (which was the signall) upon which the Saxons drawing out their Knives, suddenly slew about 460 of the BRITISH NOBLES, BARONS, and CONSULS, being unarmed, and suspecting \* Whom we no such thing; but Consul *Eldal*, beholding the Treachery, usually now took up a Snake, which he there found by chance, and with his call Bars slew 70 Saxons, till his Snake was quite spent, and then saved himself by flight. The King they took Prisoner, enforcing him to grant them Kent, Suffex, Suffolke, and Norfolke, which he confirmed to them with an Oath, and then they released him: After which they wasted most of the Kingdom with fire and sword, pulled down Churches, slew the Priests, burned up the Bookes of the holy Scripture, leaving nothing undone, that Tyranny could effect; and forced *Vortigern*, with most of the Britons, to retire into Wales for shelter in the Mountaines. The Britons thus distressed by the Saxons under this bloody

Usurper (who first called them in, and under hand encouraged them against the Natives) Anno 464. sent Messengers into Little Brittain to Aurelius Ambrosius and Uther Pendragon (then of full age, and right heires to the Crown) to come speedily over to them, with what force they could raise, to expell the Saxons, and the Usurper Vortigerne, and receive the Crown and Kingdome of Brittain, of right belonging to them: Who thereupon arriving with great forces, Anno 466. the Britons repair'd from all parts to Aurelius Ambrosius (the elder Brother) and assembling the Clergy, forthwith crowned him for their King. Which done, the Britons exhorting him, in the first place, to assault the Saxons; the King mindfull of the Treason done to his Father and Brother by Vortigerne, refused to doe it, till he had first destroyed this bloody Traytor: Whereupon marching with his Army to Genorium a Castle in Wales, wherein Vortigerne was, he spake thus to his Captaines. Consider most noble Captaines, if these walls of this Tower can protect Vortigerne, who hath wasted a fertile Country, destroyed holy Churches, almost deleted Christianity from Sea to Sea, and that which I think is more to be lamented, HATH BETRAYED MY FATHER and BROTHER. Now most Noble Countrymen play the Men, and in the first place revenge your selves on him, by whom all these things have come to passe, and after that turn your armes upon your Saxon Enemies. Presently upon these words, they endeavoured to throw down the Walls with divers Engines. At last when other things failed, they put fire to the wooden Walls, which taking hold on them, burnt both the Tower and Vortigerne to ashes, as some record: whereas others write, it was done with fire and lightning then sent from heaven by God upon him. The bloody Usurper being thus destroyed, this King and the Britons valiantly encountered the Saxons, slew many thousands of them in sundry battles against Hengist and Ella, whom they routed and chased throughout the Realm. This King in his march, finding the Churches every where destroyed to the ground by the Saxons, Anno 468. sent for work-men, and caused them to be new built, placed.

placed Priests and Clerges in them, restored divine Service to its due state, utterly destroyed the prophane Temples and Idols of the Saxons, blotting out their memory from under heaven: Moreover, he studied and commanded to observe Justice and Peace to Churches and Church-men, conferring many Gifts on them, out of his Royall bounty, with ample Rents; commanding all to pray for the prosperity of the Realm and State of the Church. The year following, by his Letters directed to all the Coasts of Britain, he commanded all who could bear Arms speedily to repair to him, and to endeavour to exterminate the Pagans out of the confines of Britain. Whereupon all of them being assembled together, he marched with them against Hengist and the Saxons; after a bloody battell Hengist was taken Prisoner by Duke Eldel (fore-mentioned) and his whole Army routed. The King upon this victory, coming to Gloucester, calling his Captaines and Nobles together, commanded them to resolve, WHAT OUGHT TO BE DONE CONCERNING HENGIST? upon which Eldel Bishop of Gloucester, brother to Duke Eldel, commanding all to be silent, grinding his teeth for anger, said: Although all would set this man free, yet I will hew him into peices. Offendinate men, why doe yee demurre? Did not Samuel the Prophet, when he hewed the King of Amaleck, taken in warre, in peices, say, As thou hast made many Mothers childlesse, so will I this day make thy Mother childlesse among women? So doe yee likewise concerning this other Agag, who hath bereaved many Mothers of their Children. Upon which words, Eldel drawing forth his sword, led Hengist out of the City, and cutting off his head, sent him packing to hell. After this CONVOCAVIT REX CONSULES ET PRINCIPES REGNI EBORACUM, The King called the Consuls and Nobles of the Realm together to York, and commanded them to repair the Churches the Saxons had destroyed, himself building the Cathedrall there. Then marching to London Anno 490. Offa and the other Saxons unable to withstand his power, submitted to him, confessing his God to be stronger than their Gods; with whom he made this agreement, that they should leave Kent, and those other

Proposition 3.

Proposition 9.



Proposition 3, 6

places they possessed, and sent themselves in a Country near Scotland, which he gave them. Then going to *Ambri*, he caused great stones (there remaining to this day) to be set up as a Monument, for the Noble Britons there treacherously slain. Where he holding A COUNCIL WITH HIS BISHOPS, ABBOTS and OTHER NOBLES, was Crowned again on *Whitsunday*, and granted the Metropolitane See of *York*, then void, to *Sampson*, and that of the City of *London* to *Dunstan*, and likewise *REGNUM DISPOSUIT, LEGESQUE RENOVAT*; set the Kingdomes in order, and renewed the Lawes. After this he and the Britons had many battles with the Saxons, to defend and recover their Country, Liberties, Lawes; till at last he was traiterously poisoned Anno 497. whose death the Britons lamented; *cum quo simul MILITIA ET GLORIA BRITONUM EXPIRAVIT*, as *Mathew Westminster*, and others write.

From this memorable Story of *Vortigern*, *Aurelius Ambrosius*, and the Britons, and Saxons, these particulars are observable.

1. That the British Kings in those times, debated all their weighty affaires, and concluded all matters touching Warre, Peace, and the publick defence of the Realm against invading Enemies, in Grand Parliamentary Councils, in which they likewise made Lawes and Edicts.

2. That the Princes, Dukes and Nobles were the onely or principle Members of the Great Councils of the Realm in those dayes, by whose advice all things were managed.

3. That Traytors to and Murderers of their lawfull Sovereignes; usurping their Crownes, bring commonly great fearful Judgements on the whole Kingdome and Nation, in case they comply with them therein.

4. That *Vortigerns* Treason in murdering his Sovereignes, and usurping their Crown, was the occasion of, and punished with the long-lasting Warres with the *Picts* and *Saxons*; yea, the original cause of the great revolution of

of the Government, Kingdome and Country of *Britain* from the *Britons* to the *Saxons*.

5. That although a bloody usurping Traytor may reign and deprive the right heir of the Crown of his right for many yeares, yet his reign is usually full of warres, vexations, dangers, troubles, his end tragicall, and the right heir called in and restored by the people themselves at last, as here *Anselmus Ambrosius* was after 21. yeares usurpation of his right: and *Joash* in the seventh year of *Asbathiah's* usurpation, 2 *Chron.* 23.

6. That usurpers are apt to depreffe the Nobility, and oppresse the Natives of the Realm, for fear they should oppose their Tyranny and dethrone them.

7. That all Heresies, vices, contempt of God and Religion, usually spring up and overspread the Realm under Usurpers, who give publick countenance to them to please all sides, to support unjust authority over them.

8. That it is (i) *very dangerous to call in forraign Forces upon any necessity into a Kingdome, as assistants, who commonly prove worse Enemies in conclusion, than those they are called in to oppose.* (i) See *Hoyling's Microscopie*, p. 756, 757, 718, 394, 412, 57, 177, 178, 642, 672, 709.

9. That all *Mercenary Guards* and *Souldiers* (especially *Forraigners*) are for the most part very *Treacherous* and *Perfidious*, forcibly suppressing, supplanting, destroying those *Princes* and *Nations* they are hired to guard and protect.

10. That lawful hereditary Kings are the cheifest *Patrons* of Gods Ministers, Churches, Religion; and the death of such (when religious, just, valient) the greatest losse and misery that can befall a Nation.

11. That all Subjects are obliged to defend with their armes and lives, their Native Country and lawful Kings against Invaders and Usurpers.

12. That the worst of Kings and Usurpers, in cases of extreame danger, are enforced to call Common Councils, and to crave the advice and assistance of their Nobles (as *Vortigern* did here) as well as the justest Kings.

Anno Dom. 497. (k) *Uther Pendragon* his Brother, and next heir, (k) *Gulfr. Mo-* posting to *Winchester*, assembled the Clergy and People  
 num. l. 8 c. 17. of the Realm thither, and took upon him the Crown of  
 18, &c. the Realm; which done, *PRÆCEPIT Uther*  
*CONSULES SUOS ATQUE PRINCIPES AD*  
*SEVOCARI, UT CONSILIO SUORUM*  
*TRACTARET, QUALITER IN HOSTES IR-*  
 Authors. *RUPTIONEM FACERENT*: *Uther* commanded his

*Proposit. 5, 9.* *Consuls and Nobles* to be called to him, that by their advice he  
 might debate, in what manner they should assault the Enemies.  
 whereupon they all assembling in the Kings presence, up-  
 on mature debates, they all agreed to the advice there pro-  
 pounded by *Gorlois*; and encountering the Saxons, slew  
 many of them, routed the rest, took some cheif Comman-  
 ders Prisoners, and put them in Prison at London, whether  
 the King repaired. The feast of *Easter* approaching,  
*REX PRÆCEPIT PROCERIBUS REGNI IBI*  
*CONVENIRE*. The King commanded all the Nobles of the  
 Realm to assemble TOGETHER AT LONDON,  
 that wearing his Crown, he might celebrate the holy day with  
 due honour. ALL PRESENTLY OBEYED, and the  
 King celebrated the Festivity with joy. Among other  
 Nobles, *Gorlois* Duke of Cornwall was present. The King  
 not long after being taken with a great sicknesse, *Ossa*  
 and *Osa*, the Saxon Generals, bribing their Keepers, esca-  
 ped out of Prison, and then collecting all their forces, re-  
 solved to extirpate the Britons and Christian Religions of  
 the Island; in pursuance whereof, they wasted the Land  
 from Sea to Sea, sparing neither Bishops, nor Churches, over-  
 running all places without resistance. The Britons deserting  
 their sick King, fled into Woods and Caves, refusing to  
 follow the Counsel and Conduct of *Consul Lotho*, a most  
 valiant man, whom the King had made Generall of his  
 Forces. Hereupon King *Uther* being much grieved for  
 the Subversion of the Realm, the Oppression of the Church,  
 the Desolation of the Nobles, and Dispersion of the Peo-  
 ple. Anno 512. *CONVOCATIS OMNIBUS REG-*  
 NI

**NI SUI MAGNATIBUS**, calling together all the Nobles of his Realm (in a General Parliamentary Council) sharply reprov'd them both for their Pride and Slothfulnesse, and casting out many bitter words with reproaches against them, informed them, that he himself would lead them against the Enemies, that so he might reduce the minds of them all to their pristine state and audacity. And commanding himself to be carried in his sick bed in a Litter into the Camp, (his infirmity not permitting him to be carried otherwise) he marched therein with all the strength of the Kingdome against the Enemies, who scorned to fight with him being sick in his Litter, and at last forcing them to fight, after many bloody encounters, utterly routed their forces, and slew *Osa* and *Osa* their Generals.

Anno 516. (k) The Saxons treacherously poysoning this Noble King, the Bishops, Clergy and People of the Realm assembling together, buried him honourably at *Ambri*, within the *Quire of Giants*. The funeral being ended, *Dubricus*, the Arch-Bishop, **SOCIATIS SIBI EPISCOPIS ET MAGNATIBUS**, associating the Bishops and Nobles to him, magnificently advanced his Son *Arthur* (a youth but sixteen yeares old) to be King; to which Solemnity, **CONVENERUNT EX DIVERSIS PROVINCHS PROCERES BRITANNORUM**, the Nobles of the Britons assembled out of divers Provinces to *Carleon*, and there crowned King *Arthur*, who having routed the Saxons in twelve severall Battles; afterwards (if we believe our British Fables, as *Malmesbury* styles them) conquered all France, and keeping his Court at *Paris*, **CONVOCATIS CLERO ET POPULO STATUM REGNI PACE ET LEGE CONFIRMAVIT**. Whence returning into Britain in triumph, about the year 536, Pentecost approaching, he resolved to keep that Solemnity at *Carr-Leon*, and there to be new Crowned. Whereupon he sent Messengers into all the Kingdomes and Countreies subject to him, inviting ALL THE KINGS, DUKES and NOBLES SUBJECT TO HIM, TO COME TOGETHER TO THAT SOLEMNITY, that he might

Propos. 556, 591

remains

rinze a most firm Peace between them. Whereupon no less than thirteen Kings, three Arch Bishops, with sundry PRINCES, DUKES: CONSULS, EARLES and NOBLES there assembled, whose names you may read at large in Geoffry Monmouth. The King being solemnly crowned by Dnbruius Arch-Bishop of Guer-Leon, in the midst of the Feasts, Sports and Merriments held at this Coronation, behold twelve men of mature age, of reverend countenance, bringing Olive branches in their right hands in token of their Embassy, with grave paces came to the King; and having saluted him, presented him with Letters from Lucius Tiberius, Procurator of the Roman Republick, to this effect: *I exceedingly admire the forwardnesse of thy Tyranny, and the Injury thou hast done to Rome, that going out of thy self, thou refusest to acknowledge her; neither dost thou consider what it is to offend the Senate by unjust actions, to whom thou art not ignorant, the whole world oweth Service. For thou hast presumed to detain THE TRIBUTE OF BRITAIN, which THE SENATE COMMANDED THEE TO PAY, because Caius Julius and other Roman Emperours have enjoyed it for a long time, neglecting the command of so great an Order. Thou hast taken away from them the Province of the Switzers, and all the Isles of the Ocean, whose Kings, while the Roman power prevailed in those parts, paid Tribute to our Ancestors: Now because the Senate hath decreed, to demand Justice concerning so great heapes of thy injuries, I command thee to repair to Rome, to answer them on the midst of August the year following, the time prefixed to thee; that satisfying thy Lords, thou maist submit to that sentence, which their Justice shall pronounce. But if thou refusest, I myself will come in person into thy Quarters, and will endeavour to restore by the Sword, what ever thy frenzy hath taken away from the Republick. This Letter being read in the presence of all the Kings and Nobles present, King*

Propos. 3, 6, 9. *Arthur went apart with them, to consult concerning this businesse: where craving their unanimous advise and sense concerning these Mandates; He said: That he thought the indignitation of Lucius was not much to be feared, since ex iracundia*

tionable causa, from an unreasonable cause he exacted the Tribute, which he desired to have out of Britain: For he saith, that is ought to be given to him, because it was paid to Julius Caesar, and the rest of his Successors, who invited by the divisions of the old Britons, arrived with an Army in Britain, and BY FORCE and VIOLENCE SUBJECTED THE COUNTRY TO THEIR POWER, SHAKEN WITH DOMESTICK COMMOTIONS. Now because they obtained it in this manner; *Velligal ex ea INJUSTE RECEPERUNT*, They RECEIVED TRIBUTE OUT OF IT, unjustly. *Nihil enim ad vi & violentia acquiruntur, juste ab ullo possidentur qui violentiam intulit. Irrationabilem ergo causam pretendit, qua nos jure sibi tributarias arbitrantur, &c.* FOR NOTHING WHICH IS ACQUIRED BY FORCE and VIOLENCE, IS JUSTLY POSSESSED BY ANY MAN WHO HATH OFFERED THE VIOLENCE; Therefore he pretends AN UNREASONABLE CAUSE, whereby he supposeth us of right to be Tributaries to him, Now because he presumes to exact from us, *id quod injustum est*, THAT WHICH IS UNJUST, by the same reason let us demand Tribute of Rome from him, and he which shall become strongest, let him carry away that he desires to have. For if because Julius Caesar, and the rest of the Roman Emperours, have in times past, subdued Britain, he determines, that Tribute ought now to be rendered to him out of it; in like manner I think, that Rome ought now to render Tribute unto us, because my Ancestors have in ancient times obtained it. For Belinus, that most noble King of the Britons, using the assistance of his Brother Brennus Duke of the Allobroges, having hanged up four and twenty of the most Noble Romans in the midst of the market place, took the City, and being taken, possessed it a long time. Moreover Constantine the sonne of Helen and Maximianus, both of them my near Kinsmen, both of them Kings of Britain, one after the other, obtained the Throne of the Roman Empire. Doe you think therefore, that Tribute is to be demanded by the Romans? Concerning France, or the Collaterall Islands of the Ocean, I am not to answer either,

G

seeing



seeing they deserted their defence, when we subtracted them from their Power. The whole Council of Kings and Nobles present, assenting fully to this his opinion and resolution, promised him their assistance in this cause against the Romans. Whereupon he returned Answer to the Roman Emperours by the said Messengers, THAT HE WOULD BY NO MEANES RENDER THEM TRIBUTE, NEITHER WOULD HE SUBMIT HIMSELF TO THEIR JUDGEMENT CONCERNING IT; NOR REPAIR TO ROME; yea, that he demanded from them, that which they had decreed, by that their judgement, to demand from him. And hereupon (some say) he writ this Letter unto the Senate of Rome, in answer of theirs. *Understand among you at Rome, that I am King Arthur of Britain, and FREELY IT HOLD and SHALL HOLD; and at Rome hastily will I be, not TO GIVE YOU TRUAGE (Tribute) but to have Truage of you. For Constantine that was Helens Son, and others of mine Ancestors, CONQUERED ROME, and thereof were Emperours, and that they had and held, I shall have and hold by Gods grace. Whereupon Lucius Tiberius, by command of the Senate, raising great forces amongst the Eastern Kings to subdue Britain, was encountred and slain by King Arthur, with all his Roman forces, in the valley of Saiffe in France Anno Dom. 517. since which this Tribute was never demanded.*

This History (whether true or feigned) as it declares by the Resolution of thirteen Kings, and a great multitude of Princes, Dukes, Nobles, Prelates, Soldiers, that Titles and Tributes gotten by Force, Violence, Conquest, are both irrational, unjust and illegal. So it resolves, That the Matters of Warre, Peace, and other great Affaires of the Realm, were determined in Parliament. That the Kings, Princes and Nobles were the onely Parliaments and Parliament men of that age. That the Realm and Kings of England are neither tributary, nor subject, nor responsible to any Forraign Powers, Jurisdictions, or Courts whatsoever; and that no Tribute or Tax can justly be imposed.

imposed on, or exacted from the Inhabitants of this Island, but by their own voluntary Grants and Consents, even by the Lawes and Customes of the Realm in the Britons times; and that whatever Tax or Possession was then gained by force, conquest, or armed power without just right and Title, was both unjust and unreasonable. And so ought to be reputed now. *Quod ab initio non valet, tractu temporis non convalescit*, being a Principle in our Law.

I read in the Lawes of King Edward before the Conquest, c. 35. in Mr. Lambards Archaion, fol. 135, 136. and Sir Edward Cook his 7 Report; *Calvins Case*, fol. 6, 7. That this most famous King Arthur first invented and inserted this Law, That all the Princes, Earles, Nobles, Knights, and all Free-men of the Realm of Britain, ought to make and swear fealty to their Lord the King in the full Folkmote or Leet, in this form (commonly used in Leets till within the six yeares last past.) You shall swear, that from this day forward you shall be true and faithfull to our Sovereign King Arthur, and HIS HEIRES, and truth and faith you shall bear to him of life, and member, and terrene honour; and you shall neither know nor bear of any ill or dammage intended to him, that you shall not defend. So help you God. And that by Authority of this Law, King Arthur expelled the Saxons (it should be Saxons, for no Saracens ever invaded Britain) and Enemies out of the Realm. And by Authority of this Law, King Etheldred in one and the same day slew all the Danes throughout the whole Realm. Surely such Oathes of Fealty, Loyalty and Homage are very ancient, as our Histories manifest.

King Arthur being mortally wounded in the battell he fought with his Nephew Mordred (who usurped the Crown in his absence) Mordred being slain in the fight, Arthur despairing of life, gave the Crown of Britain to Constantine his Kinsman Anno Dom. 542. who, together with the rest of the British Kings, neglecting all Lawes and Justice, warring against each other, and degenerating into Tyrants, Anno 542. Usurpers, Murderers, Perjurious Persons, Oppressors, and

thelike, declined daily in their power, the Saxons continually ineroaching upon them in all parts, and about the year of our Lord 586. they were quite driven out of their Kingdoms, together with their *British Subjects*, by the Saxons into *Wales, Cornwall, and Little Britain in France*, and reduced to the extremity of all misery, as you may read at large in *Gildas, de Excidio & Conquestu Britannia*; and (1) others out of him. Who thus describes the Tyrannies and vices of those times. *Ungebantur Reges non per Deum, sed qui ceteris crudeliore extarent; & paulo post ab auctoribus, non pro veri examinatione TRUCIDABANTUR, ALIIS ELECTIS TRUCIORIBUS. Si quis vero eorum miior, & veritate aliquatenus prout videretur, in hunc quasi Britannia Subversorem, omnium odia telaque sine respectu contorquebantur; & omnia quae displicerint Deoque placuerint aequali saltum lance pendebantur, si non graviora fuissent displicentia. Sicque agebant cuncta, quae saluti contraria fuerunt, ac si nihil mundo medicina a vero omnium medico largiretur, &c. Itacuncta viritatis & Iustitiae modamina concussa ac subversa sunt, ut eorum, non dicam fastidium, sed ne monumentum quidem in supra dictis propemodum ordinibus apparent, exceptis paucis, & valde paucis, &c. Reges habet Britannia, sed TYRANNOS: Iudices habet, sed impios: saepe praelantes & concutientes, sed innocentes: viaducantes & patrocinantes, sed reos & latrones: CREBRORURANTES, SED PERJURANTES; VOVENTES, & CONTINUO PROPEMODUM mentiontes: belligerantes, SED CIVILIA ET INJUSTA BELLA AGENTES; per patriam quidem fures magnopere insectantes, & eos qui secum aduersam sedent non solum amantes, sed & munnerantes; in sede arbitraturi sedentes, sed raro recto iudicii regulam quarentes; innoxios humilesque despicientes, sanguinarios, superbos, parricidas, commanipulares (qui cum ipso nomine certatim delendi sunt) prae ac possunt offerentes; viultos plures in carceribus habentes, quos dola suis potius quam morio praeferunt, catenis onerantes; inter Altaria iuranda demorantes, & hoc eadem ac si luculentia paulo post saxa despicientes. Cujus tantum nefandi pinculi non ignarus est*

(1) See *Holinshed*, and *Dr. Usher, de Britannicarum Ecclesiarum Primordiis* p. 535. to 547. *Speed's History* p. 275, 276, 277, 278.

immunda *Leana Damnonia* tyrannicus *Catulus Constantinus*.  
 Hoc anno post horribile juramenti Sacramentum (quo se de-  
 vinxit nequiquam dolo civibus, Deo primum, iurejurando,  
 Sanctorum demum choris & Genetrice constantibus fretis  
 facturum) in duarum venerandis matrum sinibus, Ecclesia  
 carnalisque sub sancti Abbatis amphibalo, Latera regionum  
 venerissima prerorum, vel precordia crudeliter dum totidemque  
 nutritorum, inter ipsa, ut dixi, sacrosancta Altaria, ne-  
 fando ense hastaque prodentibus laceravit, &c. Quid in quoque  
 casule Leonine Aureli Canine agis? Nonne pacem Patrie  
 mortiferam con serpente odians, CIVILIAQUE BEL-  
 LA & CREBRAS INJUSTE PRÆDAS SIT-  
 ENS anime tua celestes portas pacis ac refrigerii praeludis?  
 Quid tu etiam insularis Draco, MULTORUM TYRAN-  
 NORUM DEPULSOR TAM REGNO QUAM  
 ETIAM VITA, supradictorum novissime in nostro stylo  
 prime in malo, major, multis potentia, simulque malitia, Largior  
 in dando, profusor in peccato, robusto armis, sed anima fortior  
 excidiis, Maglione, in tam vetusto scelerum atramento, sto-  
 lide volutarius? Quare tantis peccaminum regia cervicis spon-  
 te, ut ita dicam, insolubiles celsorum seu Montium innatis  
 moles? Nonne in primis adolescentia tua annis avunculum  
 Rogem, cum fortissimis propemodum militibus acerrime ense,  
 hasta, igni oppressisti? Parum cogitant propheticum dictum:  
 (m) Viri iniqui sanguinum & doli, non dimidiabunt dies  
 suos. Quid pro hoc solo retributionis a iusto iudice sperares (m) Psal. 34.  
 (& si non talia sequerentur, qua secuta sunt) idem dicente  
 per prophetam, (n) Va tibi qui pradaris, nonne & ipse prada- (n) Isay 33. 1  
 beris? & qui occidis, nonne & ipse occideris? & cum desi-  
 veris pradari, tunc cades. These fiances brought the ancient  
 British Kings, with their Kingdoms and People to ruine.  
 Legitur in Libro Gildæ Sapientissimi Britonum, Quod idem  
 Britones, propter Avaritiam & rapinam Principum, propter  
 iniquitatem & injuriam Judicum; propter desidia prædica-  
 tionis Episcoporum, propter luxuriam & malos mores populi  
 Patriam perdidernunt, write *Alcuinus* and (o) *Adalbertus*  
 The Lord grant they may not bring our Kingdomes  
 and Nations to like ruine and desolation now.

(o) De Gestis  
 Regum Angl.  
 l. 1. c. 3. p. 26.

(p) Galf.  
Monum. Hist.  
l. 12. c. 1, 2, 3.  
Specul. Concil.  
p. 112.  
Proposition 5.

How many bloody Warres and battles the Britons, after they were driven out of their Country into the *Wells Mountaines* by the Saxons, fought with them for the defence of their Country, Rights, Liberties, under the conduct of valient *Cadwin*, who a fier twenty four yeares civil Dissention amongst the Britons, and so long an *Inter-regnum*, was (p) by the UNANIMOUS CONSENT OF ALL THE PRINCES and NOBLES OF THE BRITONS ASSEMBLED TOGETHER (in a great Parliamentary Councill) AT *LEGECESTER* ELECTED and MADE KING OF THE BRITONS; Which Nobles and Counsellors would not permit him to give way, that *Edwin* the Saxon, by his permission, should be crowned King of Northumberland: *Aieban enim CONTRA IUS VETERUMQUE TRADITIONEM ESSE, Insulam unius CORONAE DUOBUS CORONATIS SUBMITTI DEBERE.* And after his decease, under *Cadwall* his Son, who succeeded him in the Crown; and under famous *Cadwallader*, succeeding *Cadwall* his Father in the Kingly Government, by lineall descent; by whose death, both the royall blood, with the Government of the Britons, and the very name of Britain it self expired; you may read at large in *Geoffrey Monmouth*, *Bede*, *Gildas*, *Malmesbury*, *Huntindon*, (q) *Mathew Westminster*, *Fabian*, *Holinshed*, *Grafton*, *Speed*, and others, being over tedious to relate. The divisions and discords amongst the British Nobility, during *Cadwalladers* sicknesse, seconded with eleven yeares sore pestilence, famine and all sort of miseries, whereby the land became desolate, enforced them to forsake their native Country, and to seek relief in forraign parts. Whereupon the Saxons sending for more of their Countrymen into Britain, replenished and planted the vacant Country, dispossessing the Britons totally of their ancient rightfull Inheritance; which they never since regained: after they had possessed it from *Bruce* to *Cadwallader*, for two thousand seventy six yeares, under one hundred and two Kings, as *John Brompton* records in the beginning of his History, col. 725.

And

And this shall suffice concerning the Britons Contests and Wars for their Liberties, Laws, Government, Country, Religion, against the Romans, Saxons, and touching their Great Parliamentary Councils, & Proceedings in them, from Julius Cæsars to the Saxons Conquest, and total supplantation of them by Treachery, Violence and the Sword; of which violent Intrusion, Leland our famous Antiquary, and Archbishop Parker in his *Antiquitates Ecclesiæ Britannicæ*, p. 12, give their Censure in point of Conscience; who writing of Pope Gregories conversion of the Pagan Saxons (who expelled the Britons) to the Christian Faith, concludeth thus; *Debuerat Gregorius admonuisse Saxones, GENTEM PERFIDAM, ut s̄ sincere Christianissimum admittere vellent, BRITANNIÆ IMPERIUM, QUOD CONTRA SACRAMENTUM MILITIÆ PER TYRANNIDEM OCCUPAVERANT, JUSTIS DOMINIS AC POSSESSORIBUS RESTITUERENT.* That is: Gregory ought to have admonished the Saxons, a PERFIDIOUS NATION, that if they would sincerely embrace Christianity, they then ought to restore the Kingdome of Britain, which they had seized upon by Tyranny, against the Oath of their Militia, to the just Lords and Possessors thereof; (a Doctrine fit to be pressed on others now by all our Ministers) which because they neglected to doe, you may read what a divine retaliation their Posterity received from the pagan Danes, in the ensuing Sections.



## CHAP. III.

## SECT. III.

*Comprising some remarkable Generall Historicall Collections; proving the limited Power and Pre-rogative of the first Saxons Kings of England, disabled to make any Lawes, Warre, Peace, alienate their Crown Lands, impose any Taxes, Tributes in any Necessity, or kind whatsoever, but in and by common consent in the Generall Parliamentary Councils of their Nobles and Wisemen, which they were obliged to summon upon all occasions, when there was need, and to govern their people justly according to Law. The Saxons proceedings against their Tyrannicall oppressing Kings; and the severe Judgements of God upon some Saxon Subjects, for their Perjury, Treachery, Disloyalty, Rebellion against; expulsions, murders of their lawfull Sovereignes, and unrighteous violent disinheriting the Christian Britons by the sword, of their Native Country.*

Anno Dom.  
586.

(a) Math.  
Westm. Anno  
586. p. 208.  
Fabian, Gras-  
son, Holinsbed  
and others.

THE British Kings and Britons, being for their Tyranny, Perjury, Treachery, Injustice and other sinnes related, reprehended by *Gildas*, driven out and dispossessed of their Royalty and Country by the Saxons (a) they (about the year of our Lord 576.) divided it into seven Kingdomes, and set up seven Kings in severall parts of the Island; who soon after waged civill warres, and more than civill warres one with another. These Kings all agreed, utterly to delete the name of Britain, and the memory of the Britons; whereupon they by common consent ordained. That the

the Island should not be called Britain from Brute, but England. (b) These Kings were at first elected by the Saxon Nobles and People, to reign over them, to govern the people of God, and TO MAINTAIN and DEFEND THEIR PERSONS and GOODS IN PEACE BY THE RULES OF RIGHT. And at the beginning (so soon as they turned Christians) they made their Kings to swear, that they should maintain the Christian faith with all their power, and GOVERN THEIR PEOPLE BY RIGHT, without respect to any person, and should be SUBJECT TO SUFFER RIGHT AS WELL AS OTHERS OF THE PEOPLE. And although the King ought not to have any Peer in his Land, for as much if he did wrong, or offended against any of his people, he, or any of his Commissioners, should not be both Judge and party, it behooved of RIGHT, THAT THE KING SHOULD HAVE COMPANIONS FOR TO HEAR AND DETERMINE IN PARLIAMENT ALL THE WRITS AND PLAINTS OF THE QUEEN, AND OF THEIR CHILDREN, and especially of those, OF WHOSE WRONGS ONE COULD NOT HAVE RIGHT OTHER WHERE. And these Companions are now called Counts, after the Latine word Comites; every one of which had at first a Country delivered to him, to guard and defend it from the Enemies; which Country is now called a County, and in Latine Comitatus: and these Counties, together with the Realm, were turned into an Inheritance. So Horne in his *Mirror of Justice*, in the reign of King Edward the first.

These English Saxons from the first Settlement of their Kingdoms and Monarchies, had no Sovereign Power at all to make, alter, or repeal Lawes, impose Taxes, or alien their Crown Lands, but onely by common consent in General Parliamentary Councils, much lesse to imprison, condemn, exile, out-law any mans person, or to deprive him of his Life, Lands, Goods, Franchises, against the Law, without any Legall triall, as these Subsequent Historicall Collections will at large demonstrate.

H

That

Pref. 1, 2, 3, 5.

(b) Andrew  
Horne's  
*Mirror of Ju-*  
*stice*, c. 1. Sect.  
27. 7. 9.  
Malmesbury,  
Huntingdon,  
Beda, Ritel-  
werdus, Ho-  
linshed, Speed,  
and others.

*Proposition 5.* That they had no Power nor Authority to make, alter or repeal any Lawes, but onely by common advice and consent of their Nobles and Wise-men, in their Great Parliamentary Councils of the Realm, is evident by this passage of our Venerable (c) Beda, concerning Ethelbert King of Kent, the first Christian Saxon King and Law-maker:

Anno 605.

(c) Eccles.

Hist. Genis

Anglorum l. 2.

c. 5. Huntingd.

Hist. l. 3. p. 126.

Malmesbury De

Genis Regum

Ang l. 1. c. 1.

Chron. Johanni:

Brompton. c. 4.

738.

He, about the year of Christ 605. *Inter cetera bona que genti sua consulendo conferebat, etiam Decreta illi, juxta ex-*

*emplum Romanorum, CUM CONSILIO SAPIENTUM CONSTITUIT. Qua conscripta Anglorum sermone, haecenus habentur, & observantur ab ea. In quibus primitus posuit, qualiter id emendare deberet, qui aliqui rerum vel Episcopi, vel reliquorum ordinum furto auferat, volens scilicet cautionem eis, quos, & quorum doctrinam susceperat praeferre.*

*Malmesbury and Huntingdon write of him. Quia etiam curam extendens in posteros LEGES PATRIO SERMONE, TULIT, quibus bonis premia decerneret, improbis per remedia meliora occurreret, NIHIL SUPER ALIQUO NEGOCIO INFUTURUM RELINQUENS AMBIGUUM. The first Law this Christian King ever made BY THE COUNCIL OF HIS WISE-MEN, was for God, his Church and Ministers, to protect them and theirs from violence (a *fore-principium*;) and the next for to protect*

(d) Concil.

Tom. 1. p. 127.

*Proposition 3.*

*Great Councils and their Members from Injury: thus recorded by (d) Sir Henry Spelman; out of a famous ancient Manuscript called Textus Roffensis.*

1. *Quisunque Res Dei vel Ecclesie abstulerit, duodecima componat solutione; Episcopi res, undecima solutione; Sacerdotes res, nona solutione; Diacones res, sexta solutione; Clerici res, tria solutione: Pax Ecclesie violata duplici emendatur solutione: Pax (Monachi) duplici etiam solutione.*

*Proposition 5. 6*

2. *Si Rex populum suum convocaverit, & hos ILLIC, quispiam injuria offenderit; duplex esto emendatio, & praterea 30. Solidi Regi pendito. Let the forgers of Parliaments consider it.*

To these I might subjoyn, all the Ecclesiasticall and Civil *Laws, Canons, Constitutions* of all our other Saxon Kings, before the Normans reign, recorded in Mr. Lambards *Archaion;*

Archbishops, and scatteringly mentioned in Beda, Ingulfus, William of Malmesbury, Huntingdon, Matthew Westminster, Florentius Wigorniensis, Brompt. Antiquitates Eccl. Britannicæ, Mr. Seldens Titles of Honour, Mr. Fox Acts and Monuments, with other Antiquaries and Historians, all made, altered, amended, repealed from time to time by common advice and consent in their Great Parliamentary Councils: which, because I have particularly insisted on in my *Antiquity Triumphant over Novelty*, and *Historical Collection of the ancient Great Councils and Parliaments of England*, I shall forbear here to repeat at large, being never yet denied by any, and a truth beyond contradiction.

That our Saxon Kings from their original institution, *Anno 605.* could not alienate or transerre to any other uses (no not *Proposition 10.* to endow Churches, support Gods Worship or Ministers) any of their *Crown Lands*, Demesnes or Revenues, without common consent of their Nobles and Prelates in their Great Parliamentary Councils, is apparent by the three first Charters we read of granted by (e) Eithelbert, the first Christian Saxon King, to the Church of Peter and Paul in *(c) Chronica* Canterbury. *W. T. baroncal:* *Anno Dom. 605* Wherein the King, *CUM* 1761, 1762 *CONS. NV* venerabilis Augustini Archiepiscopi AC 3112: *Spelm:* *PRINCIPUM MEORUM*; by the consens of Arch. *Conciliiq. 118,* *bishop Augustine and his Princes*, first gave and granted a 119, 120, 216 *227.* parcell of Land, of his Right, in the East part of the City of *Proposition 7.* Canterbury, to build a Church and Monastery to the honour of St. Peter; and after that by a second Charter of the same date, confirmed by his own, the Arch-bishops and Nobles subscriptions thereto, with the Sign of the Crosse, he gave and granted other Lands in Langeport to God and his Church; and after that by a third Charter, *Anno 610.* he granted other Lands and Priviledges to it, as a testimony of his gratitude to God, for his conversion from the Errour of false Gods to the worship of the onely true God; adjuring and commanding in the name of the Lord God Almighty, who is the just Judge of all things, that the said Lands given to this Church by the said subscribed Charters, should be perpetually confirmed; so that it should not be lawfull for himself, nor for any of his Successors,

*Kings or Princes, or for any Secular or Ecclesiasticall Dignity, to defraud the Church of any part thereof. And if any shall attempt to diminish or make void any thing of this Donation, let him be at present separated from the holy Communion of the body and blood of Christ, and in the day of Judgement let him be separated from the fellowship of all the Saints.*

The two first of his Charters and Donations to this Church, were approved and confirmed in a Common Council assembled by this King at Canterbury, 5. January Anno 605. *Omnium & singulorum approbatione & consensu, BY THE APPROBATION AND CONSENT OF ALL AND EVERY OF THEM, as you may read at large in Sir Henry Spelman, and William Thorne.*

(f) *Spelmani Concil. p. 198, 227, 228, 334, 407, 427, 428, 435, 441. Ingulphi Hist. p. 851, 853, 864, &c. Malmesbury De Gestis Regum Angl. l. 1. c. 2. l. 2. c. 6. Math. Westm. Anno 794, 797, 7945*

This truth is further abundantly confirmed by the (f) Charter of Immunities of *Witred* King of Kent, granted to the Churches under him, Anno 700. The Charter of *Ethelbald* King of *Mercia* to the Church of *Croyland*, An. 716. The Charter of King *Ive*, of Lands and Priviledges to the Church of *Glastonbury*, Anno 725. The Charter of King *Offa* of Lands and Priviledges to the Church of St. *Albanes*, Anno 794. The Charter of King *Egfred* to the same Church, Anno 797. The Charter of *Bertulph* King of *Mercia* to the Abbot of *Croyland*, made in the Parliamentary Great Council of *Biningdon*, Anno 850. and of *Kingsbury*, Anno 851. (a memorable president recorded at large by Abbot *Ingulphus*, Hist. p. 858. to 863.) the Charter of King *Ethelstan* to the Abby of *Malmesbury*, An. 930. The Charter of King *Edmond* to the Abbot of *Glastonbury*, Anno 944. and of the same *Edmund* to the Abby of *Hyde*, Anno 966. and to the Abby of *Croyland* the same year; and to the Abby of *Malmesbury*, Anno 974. with many other Charters of our Saxon Kings, to Abbies, Bishops and Churches, recorded in *Ingulphus*, *Malmesbury*, *Spelman* and \* others; all which were made and confirmed by these Kings, with the consent and approbation of their Bishops, Abbots and Nobles, assembled in their Great Parliamentary Councils, and ratified, confirmed by them, being else void in Law, and repealable, as appears by the General

\* *Chronicon Joban: Brompt: Chronica W: Thorne, Evidencia Ecclesie Christi Cantuar: Chronologia Augusti; Cans.*

rall (g) Council of Kingston, Anno 838. Wherein the  
 Manor of *Mallings* in Kent, which King *Baldred* had for-  
 merly given to *Christs Church* in *Canterbury*, being after-  
 wards \* *revoked and substracted from it, because the Nobles*  
*offended with the King, would not ratifie that donation, nor suffer*  
*it to remain firm, was resealed and confirmed to this Church in*  
*and by this Council (specially summoned for that purpose)*  
 by King *Egbert* and his Son *Aibelwulfe*, *CONSENTI*  
*ENTIBUS DEMUM MAGNATIBUS:* the Nobles  
 now at last consenting to it in this Council, which they refused  
 formerly to doe. A clear Evidence of the Noble-mens  
*Negative and Affirmative Voyces* to the Saxon Kings grants  
 of their Lands and Charters to pious uses, and of their in-  
 validity without their concurrent assents thereto. In most  
 of these forecited Charters of our Kings to these Churches  
 and Monasteries, it is observable, that they exempted them  
 and their Lands, *AB OMNIBUS PUBLICIS*  
*VECTIGALIBUS, ONERIBUS, REGIIS EX-*  
*ACTIONIBUS, ET OPERIBUS,* nisi instructioni-  
 bus Arcium, vel Pontium, quæ nunquam ullis possint laxari.  
 From which notwithstanding King (h) *Ive* exempted the  
 Abby of *Glastonbury*; and King *Aethelwulfe* and *Beorred*  
 the Abby of *Croyland*; & ab expeditione militari. And  
 therefore, as they could not thus exempt them from pub-  
 lick Tributes, Burdens, Regal Exactions and Services  
 without common consent in Parliamentary Councils, so  
 they could not impose any publick Tributes, Burdens,  
 Exactions or Services on them without common grant and  
 consent in such Councils, (unless by special referrations)  
 as I shall by ensuing Presidents most fully evidence.

How carefull the Saxon Nobles and Subjects were from  
 the first erection of their Kings and Kingdomes in Eng-  
 land, to preserve their Priviledges, Liberties, Properties,  
 Lawes, from the usurpations, Invasions, and arbitrary power  
 of Tyrannical Kings or Usurpers, and how unanimous,  
 magnanimous they shewed themselves in their just defence,  
 will appear by these few Presidents of their Proceed-  
 ings against their Tyrannicall Oppressing Kings, which

(g) *Spelmani*  
*Concil: p. 340.*  
*Evidentia Ec-*  
*clesiæ Christi*  
*Caus: col: 2018*  
 \* *Sed quia ille*  
*Rex cunctis*  
*Principibus*  
*non placuit, no-*  
*luerunt donum*  
*eius permanere*  
*ratum. &c.*  
*Propositi. 10.*

(b) *See Ingul-*  
*phi Hist: p. 853*  
*864.*  
*Spelmani Con-*  
*cilia p. 198,*  
*227, 228.*  
*Proposition 2*



I shall muster up together in their Chronological Order.

Anno 756. (i) Sisebert King of the West-Saxons, growing insolent and proud by the Successes of his Predecessors in their Warres, became intolerable to his People, treating them very ill by all kind of meanes, *LEGES QUE ANTECESSORUM SUORUM PROPTER COMMODO SUUM VEL DEPRAVARET, VEL MUTARET*; endeavouring to deprave or change the Laws of his Ancestors, for his own private lucre, and using - *EX-ACTIONS, & CRUELITIES UPON HIS SUBJECTS*, setting aside ALL LAWES. Whereupon his most Noble and Faithful Counsellor Earle Cumbra, lovingly intimating to him, the complaints of all the people, perswaded the King to govern the people committed to his Charge more mildly, and to lay aside his inhumanity, that so he might become amiable to God and man; he thereupon soon after commanded him to be wickedly slain, and becoming afterwards more cruel to the people, augmented his Tyranny. Upon which the rest of the Piers, seeing their State and Lives were every day in danger, and the Common Subjects, WHOSE LAWES WERE THUS VIOLATED, being incensed into fury, all the Nobles and People of his Realm assembling together, rose up against him, and upon provident mature deliberation, AND UNANIMOUS CONSENT OF ALL, they (before he had reigned full two yeares) expelled him out of the Kingdom, and elected and made Kenulphus (sprung from the bloud royal) King in his stead. Whereupon flying into the Woods like a forlorn person for shelter, he was there slain by Cumbra his Swineherd, in revenge of his Masters death. *Ita crudelitas Regis omnem pene Nobilitatem peragenda, in homine ultima sortis fectis*, writes Malmesbury. To which Henry Huntindon addes this memorable observation: *Ecce manifestum Domini Judicium, ecce quomodo Domini justitia non solum in futuro seculo, verum etiam in isto digna meritis recompensat. Eligens namque Reges improbos ad contritionem promeritam subditorum, alium diu insatiare permittit, ut & populus pravus diu vexetur, & Rex pravus in eternum acrius*

acrius crucietur, veluti Edilboldum regem Merce præfatum: alium vero cūta difterminatione præoccupat, ne populus fuis nimia Tyrannide oppreffus non refpiret, & immoderata Principis nequitia, ciuiffimas ultionis æterne debito penas incurrat, veluti Sigebertum hunc de quo tractamus. Qui quanto nequior extitit, tanto vilius a Subulco interfectus, a dolore in dolorem tranfit. Unde Domini iuftitiæ æterne laus & gloria nunc & femper.

In the (k) year of our Lord 758. the people of the Kingdome of Mercia riling up againft their King Beorn- red, pro eo quod populum non **QUIS LEGIBUS**, sed **PER TYRANNIDEM GUBERNARET**, becaufe he governed his people not by their **JUST LAWES**, but by arbitrary Tyranny, they all of them, as well **NOBLES** as **IGNOBLE**, affembled together in one, and Offa a moft valiant young man being their Generall, they expelled him out of the Realm: which being accomplished, **BY THE UNANIMOUS CONSENT OF ALL**, as well Clergy as People, they crowned the faid Offa, King. This Beorn-red treacheroufly murdered King Ethelbald his Sovereign, whose Captain he was, and then ufurped his Crown, but was himfelf deprived of it, and flain foon after by Offa (who fucceeded him) by divine retaliation.

So (l) Edwin King of Mercia in the year 857. for his Misgovernment, his defpifing the Wife-men and Nobles of the Realm, who hated his vicious and oppreffive courfes, affecting and foftering ignorant and unrighteous perfons, his forcible expelling the Monkes and others out of their poffeffions by armed men, his banifhing Dunftan into France for reprehending his vices, and other injurious and Tyrannicall Actions againft Law and Right, was utterly forfaken and rejected by all his Subjets, and by the unanimous confent of all, dejected, depofed from his royall Dignity, and his Brother Edgar Elected King in his place, Deo dictante, & annuente populo, by the dictate of God himfelf and the peoples confent, **AB OMNI POPOLO ELECTUS**. as our Historians write,

By thefe Prefidents, pretermittig others, it is apparent, that the ancient Saxons held their Kings Supremacy

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Anno 758.

(k) Maib:

Westm: Anno

718 p. 275:

Huntingdon

Hist: l. 4.

Speed: History

p. 254. 367.

See Fabian,

Holinshed,

Grafton.

Propos. 1. 2. 3.

Anno 957.

(l) Maib:

Westm: Anno

957: p. 370.

Will: Malmes-

bury De Gestis

Regum l. 2. c. 7

p. 55.

See Huntingdon

Speed, Holinsh-

Grafton, in his

Life, and Fa-

bin.

Chron: Johanni:

Brompton colt

863.

Hen. de Knigh-

ton: de luxuri-

bus Angl: l. 1.

to be bounded within the rules of Law and Justice; and that they esteemed their Kings to lose both the name and office of Kings, when they ceased to Govern them according to Law and Justice, or exalted themselves above their Lawes and Liberties; which was not onely the ancient Divinity of those former times, as appeares by Pape Eleutherius his forecited Letter to King Lucius, but the received Law amongst

(m) Spelmanni the Saxons, as is evident by the Lawes of King (m) Edward the Confessor, Lex 13. hereafter cited. The Law was the sole Umpire between these Kings and their people;

(n) which Law, as no Great man, nor any other in the whole Kingdoms might violate or abolish, as Ivo the great Saxon King confesseth in his Lawes: So the Kings themselves were to submit thereto in all things, as well as their

(o) Subjects; Whence (o) Ethelstan the Saxon King, in his Prologue to his Lawes, made at the Great Council of Grately, Anno Dom. 928 by the advice of the Arch Bishops, Bishops, Nobles and Wise men of the Realm, used this memorable expression, as the Law of that age, between King and people; *Ea mihi vos tantum modo comparatis velim, QUAE IUSTE AC LIGITIME PARARE POSSITIS. Neque enim mihi ad vita usum QUICQUAM INFUITE ACQUIRI CUPIVERIM.* Etenim cum ea ego vobis, *LEGE VESTRA* omnia benigne largitus sum, ut *MEA MIHI VOS ITIDEM CONCEDATIS*, prospiciote sedulo ne quis vestrum, neve eorum aliquis qui vobis paruerit, offensorem aut divinam, aut nostram concitatis.

Indeed some of the Saxons, being too much addicted to Faction, Treason, Sedition and Rebellion against their Kings, abused their just Liberties and Priviledges to the unjust murder and destruction of their Kings, especially those of the Kingdome of Northumberland; to prevent which excesses, in the famous Council of (p) Calchuth Anno

Anno 787. 787. held under Alfwold King of Northumberland, his Bishop (p) Spelmanni Bishops and Nobles, and Offa King of Mercians, and his Bishop, Bishops and Nobles, there were these memorable Lawes and Canons made, both for the Security, Immunity of King and people

295, 296,  
298, 300:

people, which they with all their Subjects assented to; and with all devotion of mind, to the uttermost possibility of their power, vowed through Gods assistance to observe in every point.

Cap. XI. Of the Duty and Office of Kings: Undecimus Sermo fuit ad Reges & Principes, ut Regimen suum cum magna cautela & disciplina penagant, & cum iustitia judicent, ut scriptum est: (q) Apprehendite disciplinam, ut quando irascatur Dominus & pœneatis, &c. Habentque Reges Consiliarios prudentes, Dominum timentes, viribus honestos, ut populus bonis exemplis Regum & Principum erudiscat & confirmatus, proficiat in laudem & gloriam omnipotentis Dei. (q) Psal. 111.

Cap. XII. De Ordinatione & Honore Regum (who were then (r) generally Hereditary not Elective) We decree, that in the Ordination of Kings, none may permit the assent of evil men to prevail; but **KINGS SHALL BE LAWFULLY ELECTED BY THE PRIESTS and ELDERS OF THE PEOPLE**; and those not begotten of Adultery or Incest: for as in our times by the Lawes, a Bastard cannot be admitted to the Priesthood, so neither can he be able to be the Lords anointed: and he who shall be born out of lawfull wedlock shall not be King of the whole Realm, and Heire of his Country: the prophet saying; (s) Know ye that the Lord ruleth in the Kingdom of men, and the Kingdom is his; and he will give it to whomsoever he will, Therefore we admonish all in generall, that they would, with a unanimous voice and heart, intreat the Lord, that he who electeth him to the Kingdom, would himself give unto him the regiment of his holy discipline to govern his people. Likewise honour is to be rendred to them by all men; the Apostle saying; (t) Honour the King: and in another place, Whether it be to the King as Supream, or to Governours, as to those who are sent by him, for the punishment of Malefactors, but to the praise of them that doe well. Likewise the Apostle, (u) Let every Soul be subjeet to the higher Powers, for there is no power given but of God: And the powers that are, are ordained of God. Therefore who ever resisteth the power,

(r) See Math. Westm. Ann 1186. 339, 340, 341. Proposition

(s) Dan. 4. 17. Prop. 7, 8.

(t) 1 Pet. 2. 17, 13.

(u) Rom. 13. 1



resisteth the Ordinance of God, and those, who resist, acquire damnation to themselves. Let no man detract from the

(x) Eccles. 10:  
20.

King: for Solomon saith: (x) *Thou shalt not detract from the King in thy mouth, neither shalt thou curse the Prince in thy heart; because the birds of the air shall carry the voice, and that which hath wings shall tell the word.* LET NO MAN DARE TO COMMUNICATE IN (or conspire) THE KINGS DEATH, BECAUSE HE IS THE LORDS ANOINTED: and if any shall have adhered to such a Wickednesse (or Treason) if he be a Bishop, or any of the priestly Order, let him be thrust out of it, and cast out of the holy inheritance, as Judas was ejected from his Apostolicall degree: and every one, whosoever he be, who shall assent to such a Sacriledge, shall perish in the eternall bond of an Anathema, and being associated to JUDAS THE TRAITOR shall

(y) Rom. 8:

be burnt in sempiternal burnings, as it is written: (y) *Not only those who doe such things, but those also who consent to such who doe them, shall not escape the Judgement of God.* For

(z) Esth. 2: 21

22, 23.

(a) 1 Sam. 24

45, 46, 47, 48,

49:

2 Sam. 1: 14, 15

17.

the (z) two Eunuchs consenting to slay Ahazuerus, were hanged on a Gallows. Consider what (a) David said to the Captaines, when the Lord had said unto him, *I will deliver Saul into thy hands;* when he found him sleeping, and was exhorted by the Souldiers to slay him; *Let this sin be farre from me, that I should stretch forth my hand against the Lords anointed.* Yea, he cut off the head of that Souldier, who after his death came unto him, protesting that he had slain Saul; and it was reputed unto him for righteousness, and to his seed after him: And it is often proved among you by ex-

(b) See Dr:

Beards Treatise  
of Gods Judgements.

Matth. Westm:

An: 786, 01,

821, 833, 854

signed.)

934, 946, 979

1001, 1016,

1017, 1054,

Trist. 1, 2, 3.

AMPLES, that WHOEVER HAVE HAD A HAND IN (b) THE MURDER OF THEIR KINGS, HAVE ENDED THEIR LIFE IN A SHORT SPACE, & *utroque Jure caruerunt*, (it should be *corruerunt*) and have perished by both Lawes (civill and

Cap. 13. *De Judiciis fastis ferendis.* Let Great and Rich men execute just Judgements, neither let them accept the Person of the Rich, nor condemn the Poor, nor swerve from

the

the multitude of Judgement, or Law, nor receive gifts against the innocent, but judge in righteousness and truth; the Prophet saying, *Judge justly ye sons of men*: Also elsewhere, (c) *Thou shalt not do that which is unjust, nor judge unjustly: thou shalt not stand against the blood of thy neighbour*. Likewise *Isaiah* (d) *Seek Judgement, revive the Oppressed, judge the Fatherlesse, defend the Widow*: c, 58:6, 7, 8, then command let us reason together, saith the Lord. Also elsewhere, *Undo every bond of iniquity, undo the heavy burdens, let those who are oppressed goe free, and break every yoke. Then shall thy light break forth as the morning, and thy health shall spring forth speedily*. The Lord saith in the Gospel, (e) *For with whatsoever judgement ye judge, you shall be judged, and whatsoever measure you meet, it shall be measured to you again*. Neither shall you take BY FORCE FROM ANY ONE THAT WHICH IS HIS OWN; as it is said, (f) *Thou shalt not covet the thing which is thy Neighbours*. *Thou shalt not covet thy Neighbours wife, nor his house, nor his ox, nor his sheep, nor his field, nor any thing that is his*. For the Prophet threatneth, saying, (g) *wo to you who joyn house to house, and lay field to field, till there be no place, that you may be placed alone in the midst of the earth*. These things are in my eares, saith the Lord of Hosts. Again the Prophet crieth; (h) *Deliver the poor and needy, rid them out of the hand of the wicked*. Remember what he deserveth, who shall offend one of these little ones: but whosoever shall receive one of these, receiveth Christ; from whom he shall deserve to hear in the day of Judgement; (i) *Come ye blessed, inherit the Kingdom prepared for you from the foundation of the world*.

Cap. XIV. De cohibendis Fraude, RAPINIS ET TRIBUTIS ecclesie INJUSTE IMPOSITIS. Let Fraud, VIOLENCE AND RAPINE BE FEARED; AND NO UNJUST OR GREATER TRIBUTES IMPOSED ON THE CHURCHES OF GOD, then by the Roman Law and THE ANCIENT CUSTOMES OF FORMER EMPEROURS

AND PRINCES HATH BEEN USED. *He who desires to communicate with the holy Roman Church, and St. Peter the chief of the Apostles, let him study to keep himself free from this vice of VIOLENCE. So concord and unanimity shall be every where between Kings and Bishops, Ecclesiasticks and Laicks, and all Christian people: that there may be unity every where in the Churches of God, and peace in one Church concurring in one faith, hope and charity, holding the Head which is Christ, whose Members ought to help one another, and to love one another with continual Charity, as he himself hath said. (k) By this shall all men know that ye are my Disciples, if you shall love one another.*

(k) John 13:  
35.

These old established Saxon Lawes and Canons backed with sacred *Scriptures*, manifest the Duty of our old Saxon Kings, and their Officers towards their Subjects, whom they could not injure, oppress or tax in any kind against their ancient Lawes, Customes, Priviledges; as likewise what Loyalty and Obedience the people owed to their Kings: which bounds when their Kings exceeded in an exorbitant manner, you have seen how they proceeded with them; and when the people exceeded them on the other hand against their Loyalty and Duties, they did not escape unpunished. Take but one memorable general president in this kind, in the *Seditious, factions, rebellions* Saxons of the Kingdom of Northumberland, who were infamous for their Insurrections and Rebellions against, and Expulsions and Murders of their Kings. (l) *William Malmesbury* and (m) *Humeindon* give us this Abbreviation of their Rebellions, Treasons, Regicides: *Osulf* son of *Egbrich* reigned one year, and was betrayed and slain by his Subjects; and made way for *Mollo*, who reigning diligently for two years, was compelled to lay down his Regality, and slain by *Alred*: who succeeding him, reigned eight years, and then was chased out of his Realm, and deposed by his people from the Throne he had invaded: *Adelred* Son of *Mollo* succeeding him, reigned three yeares, and then was driven out of his Kingdome, and forced to fly from the face of his *Rebellious Danes* and Cap-

(l) *De Gestis Regum Angl.*  
l. 1. c. 3. p. 26.  
(m) *Historia*,  
4 p. 142, 343.  
344.  
*Speeds History*  
p. 244, 245.  
246.  
*Geo. Fabian*,  
*Holinsbed*,  
*Grafton, Math.*  
*Westm. A mo*  
789, 798, 808  
844, 848, 871  
872.

tains.

dained. Then *Cetwold* (alias *Alfwold*) being cried up King,  
 after ten years reign, mourned under the Treachery of his Sub-  
 jects, being slain without fault by the Treason of Duke *Sigga*:  
*Ostred* his Nephew (the next King) reigned scarce one  
 year, and then was chased by his Subjects out of the Realm, and  
 afterwards slain. *Adelred* Son of *Mæls* reigned again  
 four yeares (taking severe vengeance against those Rebelli-  
 ons Dukes and others who first expelled and deposed him) and  
 then was slain by his alwayes most wicked people, being unable  
 to avoid the fate of his Predecessors. *Ardulf* his Successor  
 reigned twelve yeares, and then was chased out of his Realm  
 by his rebellious Subjects: And *Oswold* after him, belding the  
 Title of King onely for twenty eight dayes, was forced to save  
 his life by flight unto the King of *Picts*. After which the  
 Northumbrians preoccupied with the madnesse of their fol-  
 ly, continued divers yeares without a King. For (n) many  
 Natives and Nobles, being offended with those Rebellions and  
 Murders of their Kings, fled out of their Country, at fearing  
 some heavy plague to befall it. *Alcuinus*, that Country-man  
 (then in France with *Charles* the great) being ready to  
 return to his Country with gifts to King *Offa* from *Charles*  
 the Emperor, thought best to continue where he was, writing  
 thus to *Offa*; That he knew not what to doe amongst his Coun-  
 try men, amongst whom no man could be secure, or doe any good  
 in giving wholesome Counsell to them, their holy places being  
 wasted by Pagans, their Altars defiled with perjuries, terra  
 SANGUINE DOMINORUM ET PRINCIPUM  
 FÆDATA, and their very land is self polluted with the  
 blood of their Lords and Princes; and the raining of blood  
 then at York, in the Lent time, where their Religion first took  
 its beginning in that Nation, presaged that blood should come  
 from the Northern parts upon that BLOODY LAND and  
 Realm of Northumberland, almost brought to desolation for  
 its incestine dissensions, blood-sheds and fallacious Oathes  
 (which they violated to their Sovereignes.) The Em-  
 perour *Charles* himself, having prepared divers Presents  
 and Letters to be sent by *Alcuinus* and others to King *Offa*,  
 and King *Ethelrid*, and the Bishops of their respective

(n) *Malmesb.*  
*De Gestis Reg.*  
 l. 1. c. 3. p. 26,  
 27.  
*Speeds History*  
 p. 443.  
*Alcuini O-*  
*pera* p. 1667.  
 1663.

Realmes, after his Presents and Letters delivered into the hands of the Messengers; hearing of the murder of King Ethelred, and the Treachery of this Nation to their Kings (by Messengers returning through Scotland from King Offa) recalled all his Presents and Gifts, and was so farre incensed against that NATION, which he called PERFI-  
DIOUS, AND PERVERSE, AND MURDERERS OF THEIR KINGS, ESTIMATING THEM WORSE THAN PAGANS, that unless Alcuinus had interceded for them, he had presently substracted all the good he could from them, and have done them all the hurt that possibly he could devise.

<sup>a</sup> De Gestis  
Regd. 1. c. 3.

Malmesbury records, that after Ethelred no man durst ascend to the Kingdome, whiles every one feared (in particular) lest the chance of these foregoing Kings should befall himself, and would rather live safe in inglorious idleness, then reign pendulus in doubtfull danger: Seeing most of the Kings of Northumberland departed out of this life by the Treachery and destruction by their Subjects, whereupon they having no King for thirty three yeares, THAT PROVINCE WAS EXPOSED TO THE DERISION AND PREY OF THEIR NEXT NEIGHBOURS; and the Barbarous Danes specially in great Numbers, invaded, spoiled and possessed it all that time, slew most of their Nobility and people, till at last they were enforced to subiect themselves to the power and pleasure of the West-Saxon Kings, to defend them from the Danes, who infested, invaded, and miserably slew, wasted, destroyed these Seditious, Treacherous King-deposing, King-murdering Northumberlanders (c) Henry Huntingdon and

(c) Hist. 1. 4:  
p. 343, 344, 1.  
3 p. 312.  
Wald. Westm.  
An: 873, 875.  
876, 886.

Mattheu Westminster record, that the year before the Northumberlanders traiterously slew their King Ethelred, there were fiery Dragons seen flying through the air; after which followed a very great famine, which destroyed many of them; soon after the Pagan Nations from Norway and Denmark invaded and miserably destroyed those of Northumberland and Lindessane, horribly destroying the Churches of Christ, with the Inhabitants; at which time Duke Sigga, who unworthily betrayed and slew his Sovereign King Alfwold of Northumberland,



berland, worthily perished; the whole Nation being first almost quite consumed with civil Warres, and by these Pagan invaders, whose Plague was farre more outrageous and cruell than that of the Romans, Picts, Scots, or Saxons Invasions and Depredations in former ages; they most frequently invading and assailing the land on every side, desiring not so much to obtain and rule over it, as to spoile and destroy it, with all things therein; burning their houses, carrying away their goods, tossing their little children, and murdering them on the top of their pikes, ravishing their wives and daughters, then carrying them away captives, and putting all the men to the Sword: which sad and frequent rumours from all parts, struck such terror into the hearts of King and people, that their very hearts and hands failed, and languished, so that when they obtained any victory, they had no joy nor hope of safety by it, being presently encountered by new and greater swarms of these Pagan Destroyers. The cause of which sore Plague and judgement he together with (p) Mathew Westminster, thus expresse. In the Primitive Church of England Religion most brightly shined; but in proceſſe of time all vertue so withered and decayed in them,

(p) Flores Hist.  
Anno 813.  
301, 302

UT GENTEM NULLAM PRODITIONE ET NEQUIA PAREM ESSE PERMITTERENT, that they permitted no Nation to be equal to them IN TREASON AND WICKEDNESSE; which most of all appears in the History of the (foreſaid) Kings of Northumberland: For men of every Order and Office, DOLO ET PRODITIONE INSISTEBANT, addicted themselves TO FRAUD AND TREASON, in such sort as their impiety is formerly described in the Acts of their Kings. Neither was any thing held disgraceful, but Truth and Justice, Nec honor nisi BELLA PLUS QUAM CIVILIA, ET SANGUINIS INNOCENTIAM EFFUSIO & causa dignissima cadis Innocentia. Nor any thing reputed honourable, but more than civil Warres, and effusion of the blood of Innocents, and Innocency, reputed a cause most worthy of death. THEREFORE the Lord Almighty sent a most cruell Nation like swarms of Bees, who spared neither age



nor sex; to wit, the Danes, with the Gothes, the Norwegians, and the Sweeds, the Vandals, with the Frisians, who from the beginning of King Edelwolfe, to the coming of the Normans under King William, wasted and made the fruitful Land desolate for 230. yeares, destroying it from Sea to Sea, and from man to beast. Which sore and dreadful long continued Judgement of God upon the Land, for those crying finnes now abounding amongst us, as much almost as amongst the Northumberlanders and other Saxons then, may cause us justly to fear the self same punishments, or the like, as they then incurred, and the Brisons before that under the bloody Usurper *Vortigern*, unless we seriously repent and speedily reform them. From these unparalleld prodigious Treasons, Insurrections, Regicides, Rebellions of these Northumberlanders, I conceive that infamous proverb (used by *Maximilian* the Emperor, and frequent in *Forraigne* and other Writers) first arose touching the English: That the King of England was, *REX DIABOLORUM*, a King of Devils (not of men or Saints) *SUEDICOS ENIM REGES EFFICERE TRUCIDARE* because the English (especially the Northumberlanders) so oft rebelled against, expelled, deposed and murdered their Kings, beyond the Spaniards, French and other Nations. Which Proverb the late extravagant Proceedings of some Jesuitized pretended English Saints, have now again revived out of the ashes of oblivion.

But I hope these sad recited old domestick presidents will hereafter instruct both Kings, Magistrates, Parliaments and people, to keep within those due bounds of Justice, Righteousnesse, Law, Equity, Loyalty, Piety, Conscience, Prudence and Christian Moderation, which the Lawes of God and the Land prescribe to both, and the Council of *Calchuth*, forecited long since prefixed them.

That the ancient English Saxon Kings at and from their primitive Establishment in this Realm, had no power nor prerogative in them to impose any publike Taxes, Imposts, Tributes, or Payments whatsoever on their people without their

*Tractatus  
Joannis Aven-  
tini de Rebus  
Turcicis p.  
217. Heylini  
Microcosmus  
in Germany.*

*Proposition. 1.*

their Common Consents and Grants in their Great Councils of the Realm, for any spiritual or temporal use, I shall evidence by the four first General publick Taxes that I meet with in the Histories of their times, which I shall recite in Order according to their Antiquity, though I shall therein somewhat swerve from my former Chronological Method, in reciting some subsequent Lawes and confirmations relating to every of them, for brevity sake, out of their due order of time, and coupling them with the original Lawes for, and Grants of these general Charges and Taxes, to which they have relation, and then pursue my former method.

Henry Huntindon, in the Prologue to his fifth Book of Histories p. 347. writes thus of those Saxons, who first seized upon Britain by the Sword. *Saxones autem pro viribus paulatim terram (Britanniz) bello capiscentes, captam obtinebant; obtentam, adificabant, adificatam LEGIBUS REGEbant*: not by arbitrary Regal power without or against all Law.

The first Taxes and Impositions ever laid under the Saxon Kings Government, after they turned Christians, upon the people of England, were for the maintenance of Religion, Learning, Ministers, Schollers; (long before we read of any Taxes imposed on them for the publick Defence of the Nation by Land or Sea) all and every of which were granted, imposed onely by common consent in their Great Councils (before the Name of Parliament was used in this Island, which being a French word came in after the Normans, about Henry the third his reign) without which Councils grant they could neither be justly charged, nor levied on all or any Free-men of this Island, by any civill or legall Right, by those to whom they were granted, and thereupon grew due by Law.

1. The first General Tax or Imposition laid on and paid by the Saxon Subjects of this Land appearing in our Histories, was that of *Caricscota* (id est *CENSUS ECCLESIAE*) in plain English, *Churches*, or *Church-Fees*; in nature of *First-Fruits* and *Tithes*.

Anno Dom. 692. The first Law whereby these Churches, Church-Fees, or First-Fruits were imposed on the people, and settled as an annual duty on the Ministers (paid onely before that time as voluntary Fees, will Offerings to the Ministers of the Gospel by devout and liberal Christians) was enacted by (g) Speilmanni King of the west Saxons, in a Great Council held under him Anno Dom. 692. Wherein, by the exhortation, advice and assent of Centred, his Father, Heddes and Erkenwold, his Bishops, AND OF ALL THE ALDERMEN, BROMPTON COL. 762, 762, 766 ELDBERS AND WISE-MEN OF HIS REALM,

and a great Congregation of the Servants of God, he established this Law (among sundry others) which none might abolish. Cap. 4. De Censu Ecclesie: Cyricseata (i.e. Vectigal, or Censu Ecclesie) reddita sint in Festo Sancti Martini: Si quis hoc non compleat, rem sit IX. sol: & duo decuple reddat ipsum Cyricseatum. So one Coppy renders it out of the Saxon: another thus, Cyricseata: (id est PRIMITIÆ SEMINUM) ad celebra divi Martini Festum redduntur: qui tum non solverit, quadraginta Solidis multator, & ipsa præterea Primitiæ duodecies persolverit. After which there is this second Law subjoyned, Cap. 62. De Cyricseatis. Primitiæ Seminum quisque ex eo dato domicilio, in quo ipse natali die Domini commoratur. These Duties were afterwards enjoyned to be paid by the \* Lawes of King Adelfstan Anno 928. c. 2. Volo ut Cyricseatha reddantur ad illud locum cui recte pertinent, &c. By the Lawes of King Edmund made Anno 944. in a Great Synod at London, AS WELL OF ECCLESIASTICAL AS SECULAR PERSONS summoned thither by the King, c. 2. Decimas præcepimus omni Christiano super Christianitatem suam dare & emendare Cyricseattam, id est Ecclesie censum. Si quis hoc dare noluerit, excommunicatus sit. By the Lawes of King Edgar Anno 965. c. 2, 3. (r) and the Lawes of King Ethelred: made by him and his Wise-men apud Habam, about the year of Christ 1013. Cap. 4. DE CONSUE- TUDINIBUS sancte Dei Ecclesie reddendis. Precipimus, ut OMNIS HOMO super dilectionem Dei & omnium sanctorum DET CYRISCEATTAM, ET REGTAM

\* Lambard:

Atchæon:

Chron. Johann.

Brompton col:

847, 858.

Spehm: Concili:

7403, 4199

420, 444

(r) Speilmanni

Concili p, 530,

533.

RECTAM DECIMAM SUAM, *sent in DI-*  
*EBUS ANTECESSORUM NOSTRORUM FE-*  
*GIT, quando melius fecit: hoc est, sicut aratrum peragra-*  
*bit DECIMAM ACRAM: & omnis consuetudo red-*  
*datur super amicitiam Dei, ad Matrem Ecclesiam cui adjacet,*  
*ET NEMO AUFERAT DEO QUOD AD*  
*DEUM PERTINET, ET PRÆDECESSO-*  
*RES CONCESSERUNT.* \* By which Law it seemes, \* See Gullett  
 that these *Cyricseata*, or *Church-Fees*, were of the same na- *Sommett Glos-*  
 ture with *Tythes*, (if not *Tythes* in truth) and the tenth *sarium Title:*  
 aere, or tenth part of all their Corn and arable Lands in *Cyricseatum.*  
 crease (*Tithes* both in the (1) *Fathers, Councils, Writers* (2) *Iræm, l.*  
 of this and some former ages, being usually ruled, *First-* 46, 34:  
*Frui*;) though most esteem them duties different from *Origens Hoult:*  
*Tythes*. Which duty the people being backwards (as it seems) *11. in Num.*  
 to pay, King *Knute* by the advise and consent of his *Wise-men* *Hicren: in Ma-*  
 in a Great Council Anno 1032. quickned the payment of *luchre, 3.*  
 them by this additionall Law, increasing the first penalty by *Augustia: de*  
 a superadded fine to the King. \* *Cyricseata* (which *Tempore Som:*  
 the Latine Translation renders, *Seminum primicia*) ad *219.*  
*festum Divi Martini penduntur: Si quis dare distuleris, eas* *Cassian: p. 25,*  
*Episcopo undecies praestato, ac Regi duceas & viginti Solidos* *33.*  
*persolvito. Et dat omnis Cyricseot ad matrem Ecclesiam* *Isidor Peluso*  
*per omnes Liberas domus.* I find by the Surveyes and Re- *121, 1. Ep. 317*  
 cords of our late Bishops Revenues; That these *Churches* *Antiochum Ho-*  
 of later times were certain small portions of Corn, *Hous,* *mil. 120;*  
*Eggs*, and other Provisions paid by each *House* or *Tenement* *Council: Antio-*  
 (according to the several values of them) for the Main- *senle 4:*  
 tenance and Provisions of the *Ministers*; which were *Can: 3.*  
 constantly rendred to our Bishops by their Tenants under *\* Spelm: Con-*  
 the name of *Cyricseata* or *Churches*, in divers Mannors, *cil: p. 163*  
 till they were lately voted down. This was the first kind of *Cbron: Iohann:*  
 publick Tax imposed on the people for the Maintenance of *Brompton col:*  
 the Ministry: and that onely by common grant and consent *910.*  
 in Common Councils of tharage; as were their (1) *annuall* *\* See Spelm:*  
*Tributes* for *Lights*; *Parish Alms*, and their *Soul-shor* or *searion.*  
*Mortuaries* at every mans decease, first granted by common *Glossarium &*  
 Consent in Parliamentary Councils, which I shall but name. *Gulii: Sommett*  
*Title: Cyri-*  
*(1) Spelmanni*  
*Censil: p. 375,*  
*63, 564, 573*

Anno Dom.

787.

Proposition 1.

\*Centur:

Magd: 8, 9, 9.

Specim: Concil:

p. 122, 123,

128, 129, 300

301.

Mr. Seldens

History of

Tithes ch: 3, p.

188; 189.

\*Let our

Tith-oppo-

sing, Souldiers

and others ob-

serve it.

2. The second principle annuall Charge or Tribute imposed on and paid by the people under the *Saxon Kings*, was *Tithes* of the annuall increase of their *Lands and Goods*, for the maintenance of *Gods Worship, Ministers and Religion*; which though due by *Gods Law and a Divine Right to Ministers* (as the first Law made for their due and true payment recites, and I have lately proved at large in my *Gospel Plea, &c.*) yet they could not be legally imposed, nor exacted from the people by the *Ministers in foro humano*, without publick consent and grant. Whereupon in the \* *Generall Council of Calchuth* (held in the year of our Lord 787) Cap. 17. *Ut Decima solvantur*; this Law was made. In paying tithes, as it is written in the Law (of God) *Thou shalt bring the tenth part of all thy Corn and First-Fruits into the House of the Lord thy God, &c.* Wherefore likewise WE COMMAND with an obtestation, that all men be carefull to render Tithes of all things they possesse; BECAUSE IT IS THE PECULIAR PORTION OF THE LORD GOD, &c. which Law being read in that publick Council by *Gregory Bishop of Ostia, before King Alfwoldus, Arch-Bishop Eanbald, and all the Bishops, Abbots, Senators, Dukes and PEOPLE OF THE LAND*: they all assented to it, and with all devotion of mind, according to the uttermost of their power, bound themselves by vow, that by *Gods supernall assistance* they would observe it in all things; ratifying it with the Sign of the Crosse and Subscription of their Names thereto, according to the Custome of that age. After which it was read before *King Offa* in the Council of the *Meroians* and his *Senators*, *Jambertus Arch-Bishop of Canterbury*, and the rest of the *Bishops of the Realm*, with a loud voyce, both in the *Latine and Germane tongue*, that all might understand it: who ALL WITH A UNANIMOUS VOYCE AND CHEARFUL MIND ASSENTED TO IT, & promised that they would (by *Gods Grace assisting them*) with A MOST READY WILL, to the best of their power, observe this (and the rest of the Statutes there made) in all things. And then ratified them with the sign of the Crosse and Subscription of their Names.

*Namque thereto.* It seemes very probable by this *Clause* in the *Laws* of (n) *Edward the Confessor* (confirmed by (n) *Spelman* *William the Conquerour*) *Cap. 9. Of Payment of Tythes* *Gomill. p. 611.* of *Cattel, Bees and other things; Hæc enim beatus Augustinus Hen: de King-* *nus predicavit, & decernit: Et hæc CONCESSA SUNT ton De Euc-* *A REGE, ET BARONIBUS, ET POPULO,* *tibus Anglia l.* *2, col. 2336.* That upon the preaching of *Augustine*, (first *Arch-Bishop* of *Canterbury*) *Ethelbert King of Kent*, with his *Barons and People* (assembled in a great *Parliamentary Council*) after their *Conversion* by him to the *Christian Faith*, granted *Tythes* of all things to him and their *Ministers* by a *speciall Alt or Law*; (which if true) must be about the year of our *Lord*. 603. at least one hundred and eighty years before the *Council of Calchuth*. But because I find no such *speciall Law* of his extant in any *Author*; and this passage may be intended of *Augustine Bishop of Hippo* (flourishing about the year of *Christ* 410.) who hath severall *Homiles* concerning the *Due payment of Tythes*; as *Hier.* 48. inter *Sermones*, 59. *Sermo De Tempore* 279. ad *Fraternos* in *Exemo*. *Sermo* 64. and in *Psal.* 146. and because this clause may be as well intended of *King Alfwold*, or *King Offa*, and his *Barons and People* in the *Council of Calchuth*, as of *King Ethelbert* and his *Barons and People*; I have therefore begun with their *Law for Tythes*, being extant, certain; whereas the other is but conjecturall: yet made by *common grant and assent of the King, and his Barons and People*, if there were any such.

After this *Council of Calchuth*, I find very many *Laws* confirming, continuing, establishing in all successions of ages, till this day, this charge and payment of *Tythes* (all made by *Common Consent* in *Generall Councils* or *Parliaments*, both before and since the *Conquest*, which because they are all extant in *John Bromptons Chronicle*, printed at *London*, 1652. *Mr. Lambards Archaion*, *Sir Henry Spelmans Councils*, *Rastals Abridgement of Statutes*, and accurately collected in a *Chronological order*, by *Mr. Selden* in his *History of Tythes* ch. 8. where all may peruse them, I shall wholly pretermitt them here, and referre the Reader to these



Authors: All which Lawes are clear Evidences of the first Propositions verity.

Anno Dom.

727, 793.

Proposition 1.

(x) Spebmanni

Council. p. 308,

10313, 290,

261.

Radulfus de

Diceto Abbre-

viationis Chro-

nicorum col,

446,

Chron. Iohann.

Brompton col:

754, 776.

(y) Math.

Westm. Anno

727, 265.

The third General ancient *Saxon Tax* and *Charge* occurring in our Histories, imposed on the People, was that of (x) *Rome-scor*, or *Peter Pence*; to wit, one penny out of every House each year, paid on the Feast of *St. Peter ad vincula*; for and towards the maintenance of the *English School* and *Schollars* at *Rome*: from the payment whereof all the Lands belonging to the Abby of *St. Albanes* were exempted by King *Offa*, by whom this *Tax* or *Almes* was first granted, for the maintenance of the *English Schollars* at *Rome*, and that by the UNANIMOUS antecedent and subsequent CONSENT, of *Arch-Bishop Humbert* and his *Suffragans*, ET PRIMATIBUS SVIS UNIVERSIS, and of all his Nobles or chief Men, assembled in a PROVINCIAL COUNCIL at *Verolam*, in the year of our Lord 793. This School (as *Malmesbury De Gestis Regum Anglia* l. 2. c. 1. and *Baleus Cent.* i. c. 15: record) was first founded by King *Offa* before his going to *Rome*, which Sir *Henry Spelman* proves out of *Brompton* and others: But it appears by (y) *Mathew Westminster*, that this School was there first built and endowed with *Peter-pence* by King *Ive* 66. yeares before King *Offa* as grant and endowment. For he writes; that King *Ive* going to *Rome* Anno. 727. built a House in that City, by the consent and will of *Papa Gregory*, which he caused to be called, the School of the *English*: To which the *Kings* of *England*, and the royall Stock, with the *Bishops*, *Elders* and *Clergy-men* might come to be instructed in the *Catholick doctrine* and *faith*, and so, being stedfastly confirmed in the *faith*, might return home again. For the *Doctrine* and *Schools* of the *English*, from the time of *St. Augustine*, were interdicted by the *Roman Bishops*, by reason of the daily *Herisies* which had sprung up by the coming of the *English* into *Britain*, whiles the *Pagans* intermixed with the *Christians*, corrupted both the *grace* of holy conversation, and the *Christian Faith*. He likewise built a Church, dedicated to the Honour of the *Virgin Mary*, near to this School, where the *English* coming to *Rome*, might celebrate

divine

divine Mysteries, and be likewise buried if they died there. Then he addes, *ET HÆC OMNIA UT PERPETUÆ FIRMITATIS ROBUR OBTINE-RENT, STATUTUM EST GENERALI DECRETO* (made in a General Council of the Realm) *PER TOTUM REGNUM OCCIDENTALI-UM SAXONUM*, in quo prædictus Ina regnabat, ut singulis annis de singulis familiis denarius unus qui anglice, *RÔME-SCOT* appellatur, beato Petro, & Ecclesiæ Romanæ mitteretur, *UT ANGLI IBIDEM COMMORANTES VITALE SUBSIDIUM INDE HABERENT.* Which grant, Offa King of Mercians first enlarged and granted in his Kingdome (distinct from that of Iwe) 66. yeares after this, as aforesaid. This Annual Contribution towards this Schooles maintenance, was afterwards confirmed, and the due payment thereof prescribed, under penalties by the (a) successive Lawes of King Edgar, King Ethelred, Canutus, Edward the Confessor, and William the Conquerour, made in successive GREAT COUNCILS held in their times, BY AND WITH THE ADVICE AND ASSENT OF THEIR ARCH-BISHOPS, BISHOPS, WISEMEN, NOBLES AND SENATORS. in the yeares of our Lord 967, 1009, 1012, 1032, 1060. (or thereabouts) and 1070. By vertue of which Lawes this Tax was duly paid every year in all succeeding ages, till it was finally abolished and taken away by name, by the Statute of 25. H. 8. c. 21. being perverted from its primitive intended use, and made a constant Revenue by and for the Pope themselves, against the Donors mindes, and their Successors, who so long continued it for the foresaid uses, of the English schoolings.

These three most ancient Taxes and Charges, originally granted, imposed, and afterwards continued onely by Common grant and Consent of the King, Nobles, People in General Councils and Parliaments, are a most pregnant proof of the first Proposition, and of the Peoples most ancient Original Fundamentall Right of Property in their Goods and Estates, exempt from all Impositions and Tallages whatsoever, but onely

Propo. 1.

(2) Spelmani

Cencil. p. 445.

446, 517, 530.

544, 621, 625.

633.

Mr. Lambards

Archæion.

Johannis

Brompt Chron.

col. 87 l. 90.

920.

Henr. de

Knighon do

Eventibus

Anglia l. 2.

col. 235 6.

by

\* See my Gospel Plea, for Tithes, &c. 1653.

by their free Grants and Consents in Parliament. For if our ancientest Christian Saxon Kings and greatest Monarchs could not by their Prerogatives or absolute Power alone, but onely with and by the free and common consent and grant of their Nobles, Wise-men, Prelates and People in the Great Parliamentary Councils of their Realms, impose the Payment of First-Fruits and Tithes upon their Subjects, though due by the very Law of God, towards the Maintenance of Gods Worship and Ministers, for the publick good, instruction, salvation of all their Soules: nor yet the Payment of Resser-peace, for the Maintenance of Learning and Schollars, to supply the Ministry, and furnish the Realm with able learned Men, for the common benefit both of Church and State, being things of greatest Concernment for the Peoples, Kingdomes Happinesse, Government and Prosperity: much lesse then could they lay on them any other Tax, Tribute, Aid or Assesment whatsoever, of lesse necessity and concernment, for any inferior uses, or for Defence of the Realm by Land or Sea against Enemies or Rovers, by their own absolute Authority, but onely by and with their voluntary Grants and Consents in General Parliamentary Councils of the Realm, as every rationall man must acknowledge.

Anno Dom.

871, 873,

983, 984,

Sec-

Proposition 1.

See my Hum-

ble Remon-

strance against

the Illegal Tax

of ship-money

p. 19, &c.

\* Mat. Westm.

An. 871, 873

983, 991, 994

&c.

Simeon Dunc-

menfis Hist. de

Gestis Regum

Angliæ, 162,

163, 164, 166

169.

The fourth Publick Tax or Imposition on the people in point of time, is that of Danegeld (the first Civill Tax we ever read of) whereof there was two sorts. The first, paid to the Danes themselves by way of Composition, as to a prevailing Conquering Enemies, to prevent their Plunders, Ra- vages, Incurfions. The second, paid for the maintenance of valient Souldiers and Mariners, to defend the Sea Coasts and Seas against the Invasions, Piracies of the Danes and other Enemies. The first Payment I find of any monies to the Danes by way of Composition, was in the year of our Lord 871. When Bernredus King of Mercians compounding friendly with them, Pecuniis Inducias impetravit, obtained a Truce with them for money, as Mathew Westminster records: After this Anno 873, Merciarum Gentes, dato munere, appeased those Pagans with a Gift. What the sum of Money or

or Gift was, is not expressed, nor how it was raised: nor yet upon whom: but the words imply, that it was done by common consent of the Nobles in a Generall Council, for their Common Preservation from Plunder (not imposed or raised by the Kings Prerogative, without their free consents in a General Council or Parliamentary Assembly, for so it was assessed and levied in succeeding times. (b) Anno Dom. 983. *The Danes infesting all the Ports of the Realm, and the people not knowing where or how to resist them; DE- 983, 991, 994  
1003, 1007,  
1012.  
Simon Dunelmensis Hist. col. 162, 163, 164, 165*  
**CRETUM EST A VIRIS PRUDENTIBUS,** It was decreed by the Wise-men, (no doubt in a Generall Council assembled for that end, not by the Kings absolute Authority) that they should be overcome with Money, who could not be vanquished with the Sword, wherefore they satisfied the Covetousnesse of the Danes with the payment of ten thousand pounds. Anno 991. A Tribute of 10000 l. was given them BY THE ADVICE OF SIRICUS, DUKE ETHELWARD AND OTHER NOBLES OF THE REALM; that they should cease their frequent Rapines, Burnings and Slaughters of men which they used about the Sea Coasts. Anno 994. King Ethelred **CONSILIO PRO CETERUM SVORUM,** by the Counsell of his Nobles (no doubt in a Parliamentary Assembly) gave them a pension of 16000 l. collected of all England, that they should cease from the Rapines and Slaughters of innocent men: And Anno 1002. the same King **HABITO CONCILIO CUM REGNI SUI PRIMATIBUS,** *utile duxit, a Danis dextris accipere, &c.* And **CONSILIO PRIMATUM SVORUM,** by the Counsell of his Nobles (or Chief men) gave them 24000 l. and Anno 1007. **CONSILIO PRIMATUM SVORUM,** BY THE COUNSEL OF HIS NOBLES. he gave them 30000 l. gathered out of all England, that they should desist from Rapine, and hold a firm Peace with him. Anno 1012. Duke Edric and ALL THE NOBLES OF ENGLAND OF BOTH ORDERS (to wit, the Lords Spirituall and Temporall) were assembled together at London before Easter (no doubt

in a Great Council) and continued there so long till the Tribute promised to the Danes should be paid, which was 48000*l*. All which is recorded in these expresse termes by *Mathew Westminster*, *Florentius Wigorniensis* and *Simeon Dunelmensis* in their *Chronicles* and *Histories* of these respective years; and by *Polychronicon*, *Fabian*, *Holinshed*, *Grafton*, *Speed* and other late Historians out of them. So as this Tax or Tribute paid to the Danes, was undoubtedly imposed and levied by common Consent in the Parliamentary Councils of those times, not by the Kings own power and Prerogative alone. True it is, King *Suenus* the Dane having conquered most of the Land; exacted it from the people, and levied it perforce against their wills, for the payment of his Souldiers: But the Inhabitants of *St. Edmonds-bury* refused to pay it: Whereupon he threatned by force to spoile and destroy the Town; but in the midst of his Jollity and Nobles, he suddainly cryed out, that he was struck through by *St. Edmond* with a Sword, or Speare, no man seeing the hand that smote him: and so with great horreur and torment died three dayes after at *Thetford*: as *Hoveden Annal.* pars prior: *Simeon Dunelmensis de Gestis Regum Angliæ.* Anno 1014. col. 170. *Math. Westminster Ann.* 1014 p. 394. *Ranulfus de Diceto, Abbreviationes Chronicorum* col. 465. *Johann. Brompton Chron.* col. 892. *Fabian* part 6. c. 200. *Polychronicon* l. 6. c. 16. *Speed* in his *History* l. 7 p. 420. with others relate. A memorable Punishment for this his illegal Exaction and Oppression.

As for the Tax of *Danegeld* imposed on the People, (to wit) 12*d.* as some,\* or 2*s.* as others, to be annually paid out of every Hyde or Plowland throughout the Realm, (except the Lands of the Church, and some others exempted from it by special Charters) it was imposed by Authority and Acts of Generall Councils onely, (not by royall Prerogative) for Defence of the Kingdome by Land and Sea against the Danes, and other Enemies and Pirates, as is evident by the Lawes of King *Edward the Confessor* cap. 12. The *Black Book of the Eschequer* l. 1. c. 11. *Sir Henry Spelman* and *William Sommer* their respective *Glossarium*: Tit. *Danegeld* p. 200.

\* *Chron. Johan. Brompton* col. 957.

p. 100, 201. Mr. Selden his *Mare Clausum* l. 2. as I have irrefragably proved at large in My Humble Remonstrance against the Illegal Tax of Ship-money p. 19. to 25, to which I refer you for fuller satisfaction.

Anno 1051: this unsupportable Tax of Danegeld, was released for ever to the People of England by King Edward the Confessor, out of pity towards his oppressed People, to wit, in the 38. year from the time that Suanus King of the Danes commanded it to be yearly paid to his Army, in the reign of King Ethelbert, Father to this King Edward: Which Abbot Ingulph in his History p. 897.

John Brompton in his Chronicle col. 938, 943. Simeon Dunelmensis De Geit. Reg: Angl: col: 184. Ailredus Abbas Rievallis de Vita & miraculis Edwardi Confess: col: 383. Radulfus de Diceto Abbrev. Chron: col: 475 Henry de Kyngeton de Eventibus Angl. l. 1 c. 9. col: 2331. Mr. Selden in his *Mare Clausum* l. 2. Sir Henry Spelman in his Glossary. Title Danegeld, and others thus relate in Ingulphus words. **TRIBUTUM GRAVISSIMUM quod DANEGELD dicebatur, OMNI ANGLIÆ IN PERPETUUM RELAXAVIT; & DE TAM FERA EXACTIONE NE IOTA UNUM VOLVIT RETINERE:** restoring to the People all the money then collected and brought into his Bed-chamber by his Officers, and there laid in heaps;

upon which this most holy King (as some of these record) saw a Devil dancing and triumphing with ever much Joy: and calling it, HIS MONEY, QUITA INJUSTE ADQUISITA EST DE SUBSTANTIA PAUPERUM;

because it was unjustly gotten out of the substance of the poor Subjects. (though by colour of former Grants by common consent in Parliaments)

upon which occasion this good King forthwith restored all that was collected, and perpetually released for the future this great and heavy Tribute (which had continued near forty years) to the English-men for ever, so that after that day it was no more gathered, as Roger Hovedon Annal: p. 19. p. 447: Hyden in his Polychron: l. 6. c. 24. Gagegrave, Surinus, Ribadeniera, Holinshead in the life of Edward the Confessor Math. Westm: Simeon Dunelmensis; and Florent. Wigorniensis An: 1051. Grafton in his Chronicle p. 180. Speed in his History of Great Britain l. 8. c. 6 Sect 7, p. 49. Fabian in his Chron: p. 6. c. 219 p. 282, with the other forementioned Authors joyntly attest.

By these four first General Taxes and publick charges thus imposed on the ancient Saxons and English, onely by common grant and consent in the great Parliametary generall Councils of the Realm, both for the maintenance of Gods Worship, Ministers, Religion, Learning and defence of the Realm against forraign Enemies and Invasions, the truth of the first fundamentall Proposition in the precedent Chapter, is abundantly confirmed, during all our Saxons Kings Reignes; which I shall confirm in subsequent Sections, by Presidents in all succeeding ages to this present: who never granted any Subsidies, Aids, Taxes, but by full consent in Parliament, and that in small proportions (one \* Subsidy, or 5/6, or 1/2, or 1/3, or 1/4, or 1/5, or 1/6, or 1/7, or 1/8, or 1/9, or 1/10, or 1/12, or 1/15, or 1/20, or 1/25, or 1/30, or 1/40, or 1/50, or 1/60, or 1/70, or 1/80, or 1/90, or 1/100, or 1/120, or 1/150, or 1/200, or 1/250, or 1/300, or 1/400, or 1/500, or 1/600, or 1/700, or 1/800, or 1/900, or 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though upon now, after such unparallel'd violations and subversions of them, which all our late endless *Ægyptian Tax-masters* of several kinds, even out of *Parliament*, by their own usurped authority, without the oppressed people's grants or consents in any real *English Parliament*, may doe well to consider; and withall to peruse that notable Discourse of *Gylius Pavalus*, Bishop of *Lions*, *De Virtutibus & Vitiis*. Tom. 2. *De Avaritia*. cap. 3. *DE INFUSTIS TALLIS* f. 44. 45. Where he largely demonstrates

\* See *Alexand.* \* the greatness and odiousness of the sin of laying and levying unjust illegal Taxes *Fabrit.* *De str.* on the people; proving, that besides the sin of *RAPINE*, there is *PECCATIONEM* *PRODITIONIS* the sin of *TREASON* in it; together with the sin of *INGRATITUDE*, and *CONTEMPT OF GOD* and *ANGELS*. And withal resolves; That if Rulers, Souldiers shall impose or levy any unjust Taxes upon the People, or exact more from them then their just wages, contrary to the Gospel precept, *Luc. 3. 14. SUNT PRODIGITORES*, they are *TRAYTORS*: *Spolians enim filios Dei bona fidei eorum commendas*; for they spoil the people of God committed to their good faith and tuition, and use them no otherwise than if they were *Enemies*: and who knows not that it is the *Crime of TREASON*, cum amicis inimicitias coercere; to exercise acts of enmity towards their friends? and like the Devil himself to render affliction and punishments to those, instead of protection and restitution, who serve and pay them best. *Quibus dici potest quod secundum hoc, DOMINATIONE EORUM DIABOLICA EST*: as he there determines, to rectifie the mistakes of those, who now think this kind of new Tax-imposing Government, not *Diabolical*, but *Angelical* or *Saint-like*.

I now return to my former *Chronological* method and *Collections*, during all the reignes of our *Saxon* and *Danish* Kings, which I shall prosecute in the next Section, till the *English* supplantation by the *Normans*; of which *John Brompton* Abbot of *Fernal* gives this reason (by way of divine retaliation) which I desire all *Sword-men* and others, who repute *Conquest*, and the longest *Sword*, a just and *Saint-like* Title to other Mens Lands, Possessions, and all temporizing *Divines* (who like *Augustine* the first *Arch-bishop* of *Canterbury*, who converted the *English* to *Christianity* *QUI PRO ET EXTU FL DEI GENIEM ADVENAM IN ALIENO CONFIRMAT IMPERIO UT SUAM ET ROMANAM INRUSTATIONEM DILATARET*, instead of preaching, of pressing the Doctrine of *RESTITUTION* to them, for which he is justly taxed by *Leland* & \* *Math. Parker*, as being longe, dissimile *Palladio* sunt *Scotorum Apostoli*, qui *Constantinum eorum Regem* (teste *Polydoro*) multis precibus hortatus est, ne *gentem Saxonum IMPIAM* contra *BRITANNOS CHRISTIANOS* *INVARET*) seriously to ruminate upon \* *Hoc autem Dei muni factum esse constat, ut malum contra IMPROBOS ANGLOS postea INSTO DEI INDICIO tempore disposito adveniret. Nam SICUT ANGLE quos DEUS, sceleribus suis exigentibus, discurrere propulerat, BRITANNES peccatis suis exigentibus, humiliaverant, & A TERRA ANGLOE MINUS INSTE FUGAVERANT, SIC IPSI DUPplici PERSECUTIONE, primo DACORUM servitium, postea NORMANNORUM supernavitentium fortitudine GENIIBUS EXTRANEIS SUBDERENTUR, quod in sequentibus apparebit.*

FINIS

\* *Antiqu.*  
*Eccles. Brit.*  
p. 12.

\* *Chron. Toban.*  
*Brompton col.*  
883.

A  
DECLARATION  
AND  
PROTESTATION

AGAINST

The Illegal, Detestable, Oft-condemned, New  
Tax and Extortion of EXCISE

In General;

AND

For HOPS (a Native incertain commodity)

In Particular.

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By *William Prynne of Swainswick, Esq;*

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*Exch. 25. 12, 13, 27, 29, 30.* Thou hast greedily gained of thy Neighbour by Extortion, and hast forgotten me, saith the Lord God; Behold therefore, I have smitten my hand at thy dishonest gain, and at thy blood, which hath been shed in the midst of thee. Her Princes in the midst of thee, are like wolves ravening the Prey to shed blood, and to destroy Souls, to get DISHONEST GAIN: The people of the Land have used OPPRESSION, & EXERCISED ROBBERY, and have VEXED THE POOR & NEEDY; yea, they have OPPRESSED THE STRANGER WRONGFULLY. And I sought for A MAN among them, that should make up the Hedge, and stand in the gap before me for the Land, that I should not destroy it: but I found none: Therefore have I poured out my indignation upon them, I have consumed them with the Fire of my Wrath, their own way have I recompensed on their heads, saith the Lord God.

*Psal. 12. 5.* For the Oppression of the Poor, for the sighing of the Needy, I will arise (saith the Lord) I will set him in safety from him that would enslave him.

*1 Cor. 5. 8, 9.* Nay, you do wrong and defraud; and that your Brethren. Know you not that the unrighteous shall not inherit the Kingdom of God?

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LONDON;

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*Edward Thomas in Green-Arbor, 1654.*

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**A Declaration and Protestation against the Illegal, Detestable, oft-condemned New Tax and Extortion of EXCISE, in general, and for hopes in particular.**

**W**E read in the 2 Sam. 23. 1, 3. *That these were the last words of David, the man WHO WAS RAISED UP ON HIGH, THE ANOYNTE OF THE GOD OF JACOB, and the sweet Psalmist of Israel; The God of Israel said, the Rock of Israel spake to me, HE THAT RULETH OVER MEN MUST BE JUST, RULING IN THE FEAR OF GOD.* What it is for a Ruler over men *to be just, and to rule in the fear of God*, we may infallibly conclude, and learn from three Scripture-Presidents, and three sacred Texts, which may serve as a Commentary on it.

The first President is that of Samuel, 1 Sam. 12. 1. to 6. And Samuel said unto all Israel; Behold, I have hearkened unto your voice in all that ye said unto me, and have made a King over you: And now behold, I am old and gray-headed, and have walked before, and (a) judged you from my Childhood to this day: Behold here I am, witness against me before the Lord, and before his Anointed; Whose Ox have I taken? Or whose Ass have I taken? or whom have I defrauded? whom have I oppressed? or of whose hand have I received any ransom to blind mine eyes therewith? and I will restore it to you. And they said, THOU HAST NOT DEFRAUDED US, NOR OPPRESSED US,

(a) 1 Sam. 7. 15.

NEITHER HAST THOU TAKEN OUGHT OF ANY MANS HAND: And he said, *The Lord is my witness against you, and his Anointed is witness this day, that you have not found ought in my hands: And they answered, He is witness.* That Governour or Ruler over men, who can make such a challenge and protestation as this, before God and all the people, and receive such a testimony from both, of his integrity, as *Samuel* here did after he had judged *Israel* above threecore years, is certainly a *just man*, truly fearing God: And what Governour this day ruling, though but for a few months or years, can make such a challenge, or receive such a witness as he did from all the people?

The second President is that of King *David*, a man after Gods own heart, who as he would by no means lay violent hands on King *Saul* his Sovereign, who hunted him like a Partridge, and sought his life, though God gave him twice into his hands, and was perswaded by his Souldiers and Military Officers to kill him; nor yet usurp the Royal Throne, or Government of Gods people, though specially anointed by God long before thereto, without a General Call and Election thereto by all the Tribes and Elders of the people; *1 Sam. 24. & 26. 2 Sam. 5. 1. to 6.* So it is recorded of him, *2 Sam. 8. 15. and 1 Kings 15. 5.* And *David* reigned over all *Israel*; and *David* executed Judgment and Justice unto all his people; and *David* did that which was right in the eyes of the Lord, and turned not aside from any thing that he commanded him all the daies of his life, save only in the matter of *Uriah the Hittite*; for which he penned, and left a (a) Penitential Psalm on Record to Posterity, to testify his unfeigned repentance for that bloody crime. And where can we finde such a *David* now?

(a) *Psalm 51.*

The third is *Nehemiah*, cap. 5. throughout; who when the people cried and complained to him of their Debts, Engages, Bondage and Oppressions by their Brethren, and that others had their Lands, Vineyards, &c. their Sons and Daughters for servants, for money; borrowed of them FOR THE KINGS TRIBUTE: He grew very angry, and rebuked the Nobles and Rulers for it, and set a great Assembly against them, and said unto them: We  
after.

after our ability have redeemed the Jews our brethren, which were sold unto the Heathen; and will you even sell your Brethren? or shall they be sold unto us? I likewise, and my Brethren, and my servants, might exact of them money and corn. I pray let us leave off this misery: restore I pray unto them even this day their Lands, their Vineyards, and their houses; also the hundredth parts of the money, and of the corn, the wine, and the oyl that ye exact of them. Then said they, We will restore them, and will require nothing of them; so will we do as thou hast said. Then Nehemiah called the Priests, and took an oath of them, that they should do according to this promise: Also he shook his lap, and said, So God shake out every man from his house, and from his labour, that performeth not this promise, even thus be he shaken out and emptied; and all the Congregation said, Amen, and praised the Lord, and the people did according to this promise. After which, he subjoyns this memorable testimony of himself. Moreover, from the time that I was appointed to be their Governour in the Land of Judah, from the 20. even to the 32. year of Artaxerxes the King, I and my Brethren have not eaten the bread of the Governour: But the former Governours that had been before me, WERE CHARGEABLE UNTO THE PEOPLE, AND HAD TAKEN OF THEM BREAD AND WINE, BESIDES FORTY SHEKELS OF SILVER (what is this to our Contributions, EXCISES, Freequarter, Sequestrations, Impolts, &c.) Yea, even their servants bear rule over the people: BUT SO DID NOT I, BECAUSE OF THE FEAR OF GOD. Yet also I continued in the work of the Wall; NEITHER BOUGHT WE ANY LAND: and all my servants were gathered thither unto the work. Moreover, there were at my Table. as 150. of the Jews and Rulers, besides those that came unto us from among the Heathen that are about us, &c. YET FOR ALL TH'S REQUIRED I NOT THE BREAD OF THE GOVERNOUR, (that is, his Salary, and ordinary allowance, formerly paid by the people) BECAUSE OF THE BONDAGE WAS HEAVY UPON THIS PEOPLE. Think upon me my God, for good, according to all that I have done for this people.

When our late and present Governours, and their und:  
Officers



Officers, shall imitate *Samuel, David*, but more especially *Nehemiah*, and the Nobles, Rulers, and Officers under him, in making full *restitution* of all their Christian Brethrens, and the publike Lands, Vineyards, Oliveyards, Houses, Goods, Possessions, Offices, Moneys, Corn, Wine and Oyl they have forcibly seized on, without any legal Right or Title, or gotten by usurious or unrighteous contracts, Sequestrations, Sales, Donations, Wiles, Disseisins, Oppressions, Exactions, Excises, Taxes, &c. give a true and just accompt to our whole Nation of the many Millions of Treasure in few years extorted from them; and shall neither impose, nor exact from them any more Moneys, Contributions, Excises, Corn, Wine, or the bread of the Governour from the people, because of the fear of God, and because of the Bondage that is heavy upon them; we shall then pronounce them to be just, ruling in the fear of God. But if then, neither God nor men will or can pronounce them such. And upon consideration of these three sacred Texts, to omit others.

The first is, *Ezek. 18. 5. to 14. But if a man be JUST, & DO THAT WHICH IS LAWFUL & RIGHT, & HATH NOT OPPRESSED ANY, but hath restored to the Debtor his pledg, HATH SPOILED NONE BY VIOLENCE, hath given his bread to the hungry, and hath covered the naked with a garment, hath not given forth upon usury, neither hath taken any increase, hath withdrawn his hand from iniquity, hath executed true judgment between man and man, hath walked in my Statutes, and hath kept my Judgments, TO DEAL TRULY; HE IS JUST; He shall surely live, saith the Lord. If he beget a Son, that is A ROBBER, A SHEDDER OF BLOOD, and that doth the like to any of these things to his brother, and that doth not any of those duties, but hath eaten upon the Mountains, and defiled his Neighbours Wife; HATH OPPRESSED THE POOR AND NEEDY, HATH SPOILED BY VIOLENCE, hath not restored the pledg, &c. hath committed abomination, hath given forth upon usury, and taken increase; shall he then live? He shall not live, he hath done all these abominations, he shall surely die, his blood shall be upon him, &c.* Which is again there repeated, for the greater certainty.

If the just men and Rulers of this latter age shall be judged and tried by this Text, I fear we may take up the words of the Prophet *Amos* 7. 2. and 8. 3. 1, 2, 3, 4. The good man is perished out of the earth, and **THERE IS NONE UPRIGHT AMONG MEN**: They all lye in wait for blood, they hunt every man his Brother with a Net, that they may do evil with both hands earnestly; the Prince asketh, and the Judge asketh for a reward, and the great man uttereth the mischief of his soul; (by coveting Fields and Houses, and taking them away by violence, because it is in the power of his hands, ch. 5. 1, 2.) the best of them is as a Brier, the most upright is sharper then a thorn-bush; they pluck off the flesh of my people from their bones, they eat their flesh, and flay their skin from off them, and they break their bones, and chop them in pieces as for the pot, and as flesh with-  
in the Caldron.

The second is, *Ezek* 45. 7. to 10. and ch. 46. 18. A portion shall be for the Prince, &c. and my Princes shall no more oppress my people, and the rest of the Land shall they give to the house of Israel, according to their Tribes: Thus saith the Lord God, Let it suffice you, O Princes of Israel! **REMOVE VIOLENCE & SPOIL**, and execute Judgment and Justice: **TAKE AWAY YOUR EXACTIONS** (or expulsions of others from their rights) from my people, saith the Lord God. Moreover, the Prince **SHALL NOT TAKE OF THE PEOPLES INHERITANCE BY OPPRESSION, TO THRUST THEM OUT OF THEIR POSSESSION.** How conscientiously this precept (and Gods own Tenth Commandment of the Decalogue, *Exod.* 20. 17. Thou shalt not covet thy Neighbours **HOUSE**, thou shalt not covet thy Neighbours **WIFE**, nor his Man-servant, nor his Maid-servant, nor his **OXE**, nor his **ASSE**, **NOR ANY THING THAT IS THY NEIGHBOURS**) hath been observed by such who have made and flattered themselves, not only Princes, Rulers, Governours, Officers, but proclaimed themselves the holiest, justest Saints, and Pillars of Justice and Righteousness of late years, and all sorts of *Swordmen*; let the world and their own consciences judge. I doubt *Ovid* old Poetical description of the Iron Age (a) **VITTUR EX RAPTO**, &c. will suit better  
with

(a) *Metamorph.*  
1. 1.

with our times and *Sabbies* of this Age, then these *sacred Precepts*, become like old Almanacks quite out of date and precise at least, if not quite out of mind: *Terras Astrae reliquit.*

The third is *Isai.* 58. 3. to 13. *Behold, in the day of your Fast you finde pleasure, and exact all your griefs: Behold, ye fast for strife and debate, and TO SMITE WITH THE FIST OF WICKEDNESS: Ye shall not Fast as ye do this day, &c. Is not this the Fast that I have chosen, TO LOOSE THE BONDS OF WICKEDNESS, TO UNDO THE HEAVY BURTHENS* (of illegal oppressions, long-continued Taxes, Excises, &c.) *to let the OPPRESSED GO FREE, and that ye break EVERY YOKE? Is it not to deal thy bread to the hungry, and that thou bring the poor that are cast out (of their houses, possessions, offices, estates, by violence and rapine) to thy house; when thou seest the naked, that thou cover him, and that thou hide not thy self from thine own flesh? Then shall thy light break forth as the morning, and thine health shall spring forth speedily, and THY RIGHTEOUSNESS shall go before thee, and the glory of the Lord shall be thy reward, &c. And they that be of thee shall build the old waste places, raising up the Foundations of many Generations, and thou shalt be called, The repairer of the breach, the restorer of paths to dwell in.* We have had many publique Fasts and Mock-fasts of late years, such as God in this Text professedly reprehends and rejects; but never yet such a true and real Fast, as he here calls for: and that is one main reason, we are still pulling down, and rooting up the Foundations of our Church, Kingdoms, Parliaments, Liberties, Properties, Lawes, and changing from one mishapen form of Government to another, instead of building the old waste places, raising up the Foundations of many Generations, repairing the breaches, and restoring paths to dwell in, O that we might never henceforth mock God or men any more with such hypocritical Fasts as formerly; but that the next prescribed Fast by those in power, might be only this, which God here requires; and that it might be so sincerely, really, effectually performed by the Prescribers of it, that God himself, and all the three Nations, may joyntly attest of them, *That they are just, ruling in the fear of God.*

On Tuesday the 26 of September last, 1654. there was this Ticket left at my house at *Swainswick*, directed to no particular person named to it, or indorsed on it.

*You are to appear at the Grey-hound in Bath on Tuesday next by ten of the Clock in the fore-nam, to make entry of what quantity of HOPS YOU HAD GROWING THIS PRESENT YEAR, AND TO PAY THE DUTY OF EXCISE FOR THE SAME.* 25 September 1654.

Thomas Peeres, Sub-collector.

Hereupon repairing to the Lecture at Bath the next morning, and carrying with mee this Ticket, and such Parliamentary Judgements and Declarations against Excise, as are hereafter specified, which I drew up in writing as here I present them to the publique; I sent for the Sub-collector to the Inn where the Ordinary for the Lecture is kept, before the Sermon began; who repairing to me thither, I shewed him the Ticket, in a freindly manner, which he owned; and then informed him it was erroneous, and voyd in Law, (because directed to no particular person by name) in respect of form, which he confessed, saying it was his mans mistake, who had order to set the parties names to every severall Ticket he delivered at their houses; I acquainted him that this being but a circumstance, the end why I sent for him, was to be satisfied by him, touching the substance of his Warrant, and that was, to make entry of what quantity of Hops I had growing this present year, and to pay the Duty of Excise for them. For, although I was a Lawyer and knew what Duties were by Law to be paid by my self and others, yet I neither knew nor understood that EXCISE in generall, much less for Hops in speciall, was a duty; and seeing I had many Judgements and Declarations of Parliament against it, as an illegall, execrable innovation, and damning it for ever as such, I could neither in prudence nor conscience pay it as a DVTY, till hee could make it appear to mee by some true reall Act of Parliameent to be so: desiring him to shew me what Legall or other Authority he had to claim it as a Duty from mee. To which he answered, that he had nothing else to shew for a claim it by, but a late Ordinance of the Protector and his Counsell at White-hall, continuing the Excise till such a month in the year 1656. Which he would shew mee if I pleased. To which I replied, that I conceived that this would bee his answer; which was no sa-

tification at all to me; for I was certain, that by the fundamental Laws and Statutes of the Realm, and the resolutions of our Parliaments in all Ages, no King of England, nor his Council-Table, could ever in any age make binding Laws, or impose any Tax, Tollage, Impost, Custom, Tunnage, or Poundage, much less *Excise* (a stranger to our Ancestors) on the Free-men of England, but only a true and legal English Parliament; and therefore those who condemned, suppressed the late King, and his extravagant Council-Table as *Tyrannicall* and *oppressive* to the People, could neither in justice nor prudence arrogate such a supertranscendent jurisdiction to themselves, as to impose such Taxes as these on the whole Realm, an inseparable Prerogative of our Parliaments alone, as hath been resolved over and over in all ages by the (\*) *Laws of King Edward the Confessor*, ratified by *William the Conquerour* himself, and by all our Kings since, by a special clause in the very Coronation Oaths, *Lex. 55. 56. 58.* the great Charters of King *John* and *Henry* the third, c. 29. 30. 25. E. 1. c. 5. 6. 34. E. 4. c. 12. De Tallagio, 14. E. 3. Stat. 1. c. 21. Stat. 2. c. 1. 15. E. 3. Stat. 2. c. 5. 21. E. 3. Rot. Parl. N. 16. 25. E. 3. Rot. Parl. N. 16. 27. E. 3. Stat. 2. c. 2. 36. E. 3. Rot. Parl. N. 26. 38. E. 3. c. 2. 45. E. 3. Rot. Parl. N. 42. 11. H. 4. Rot. Parl. N. 10. 1. R. 3. c. 2. 23. H. 8. The Petition of Right, 3. Car. The Statute against Ship-moay, Knighthood, Customs, 16. *Caroli*, and all the statutes concerning Customs, Tunnage, Poundage, and Purveyors, in all our Kings reigns, all unanimously resolving, *That no Tax, Tollage, Subsidy, Aid, Loan, Custom, Impost, Tunnage, Poundage, or any other payment or duty whatsoever, can be imposed on, or levied from the Subject in times of War or Peace, upon any pretext or necessity, but only by common grant and consent of the Lords and Commons in Parliament*, and so resolved over and over in the Parliament of 7. 21. *Jacobi*, and of 3. 4. & 16. *Caroli*, by many now in power.

And to satisfy him in point of *EXCISE*, the thing in question, I would shew him some late Judgements and Declarations of Parliament against it, which I presumed would satisfactorily convince him, that it was no Duty, but an intolerable Oppression, and detestable Innovation; whereupon I read unto him these ensuing Judgements and Declarations against it.

I shewed him, that *Excise* was altogether a stranger, and thing

\* Seldeni No: n  
ad Eadmerum.  
P. 190, 191.  
Exact collecti-  
on, p. 868, 869.

ship utterly unknown to our fore-fathers; the *Monstrum* which being never found in any History, or Records of former Ages in this Island. The first attempt ever made upon Records to discover it, and set it on foot in England, was in the third year of our be-headed King Charles his reign, who by the advice of the Duke of Buckingham, and some other evil Counsellours (\*) granted a Commission under the Great Seal of England, dated the 15th day of February, 3<sup>rd</sup> Caroli, called, **THE COMMISSION OF EXCIZE**, issued to thirty three Lords and others of HIS MAJESTIES PRIVIE COUNCEL. The Commissioners were thereby authorized and commanded, to raise Money BY IMPOSITIONS, OR OTHERWISE as they in their wisdom should find most convenient; take causes wherefore those Monies were to be raised were expressed to be these, **THE DEFENCE AND SAFETY OF THE KING, KINGDOM, AND PEOPLE**; and of the Kings Friends and Allies beyond the Seas; which **WITHOUT EXTREMEST HAZARD OF THE KING, KINGDOM, AND PEOPLE**, and of the Kings Friends and Allies can admit of no longer delay. **INEVITABLE NECESSITY**, wherein form & circumstance must rather be dispensed with, all, than the substance lost; the Commissioners must be diligent in the service, and not fail therein, as they tender his Majesties Honor, and **THE SAFETY OF THE KING AND PEOPLE**. Here *Salus Regni periclitabatur*, the whole Kingdom was declared to be in danger, in greater and nearer danger then any now appearing. In the Parliament of 3. Caroli, the House of Commons having notice given them of this Commission, sent for it, and upon debate thereof, without any one dissenting voyce, *Voted and adjudged it*, **TO BE AGAINST LAW, and CONTRARY TO THE PETITION OF RIGHT** (though only sealed and never put in execution) and then desiring a Conference about it with the Lords in the painted Chamber (whereat I my self was present) Sir Edward Cook, by the Commons appointment, after the Commission read by Mr. Glanvil, manifesting the illegality, strangeness, and dangerous consequences of it to the whole Kingdom, in an elegant Speech and Argument, amongst other expressions filed it, **MONSTRUM HORRENDUM, INFORME, INGENS** (descending upon every one of the words) yet, blessed be God, **CVI**

(\*) See the Lords and Commons Journals, 3. Caroli, Exact collection, p. 885. Mr. St. Johns Speech and Declaration concerning Ship-mony, p. 15, 16.



**LUMEN ADEMPTUM**, whose eyes were pulled out by the Commons in Parliament (which they hoped their Lordships would second) before ever it saw the Sun, or was fully brought forth into the world, to consume and devour the Nation. The Lords hereupon fully, and unanimously concurred with the Commons, **ADJUDGING IT TO BE AGAINST LAW, and THE PETITION OF RIGHT, and FIT TO BE ETERNALLY DAMNED**; and upon the Lords request to the King, this Commission was cancelled in his Majesties presence by his command, and brought cancelled to the Lords House, by the then Lord Keeper, and by them sent cancelled to the Commons House for their satisfaction; who returned it back to the Lords with their thanks for their care and concurrence with them herein. Therefore being thus solemnly damned, and crushed in the shell, by the judgement and unanimous Votes of the Commons, Lords, and King Charles himself in that Parliament, as against the Law of the Land, and contrary to the Petition of Right (then newly passed in that Parliament) it seemed very strange and monstrous to me, that any Pretenders to publick Liberty, Law, Right, or any new Governours, and Council-table at White-Hall, should presume to revive, and actually impose any such illegal, damned Impositions, and monstrous execrable Excises on the exhausted people now, upon the self-same pretexts of publique safety, and inevitable necessity. The rather, because I informed him.

Secondly, That the last Parliament of King Charles, about 13 yeares after this first Judgement had, in four severall Printed Declarations, Remonstrances, Votes (to which most now in power were Parties and Consenters) revived, approved, ratified and insisted on this primitive sentence of condemnation against Excise, as most illegal and detestable.

I In and by the Speech and Declaration of Mr. Oliver St. John, his Majesties Solicitor General, delivered at a conference of both Houses of Parliament, concerning Ship-money, 14 January 1640 published by the Commons Order, page 13, 15, 16, 19. I am commanded by the House of Commons, (saith he) to present to your Lordships considerations those things which SATISFIED THE COMMONS.

Fifth, The Commissions for the Peace with the instructions.

Secondly, A COMMISSION CALLED THE COMMISSION OF EXERCISE &c. This was dated *ultimo Febr. 3. Caroli*. It was dated after the Summons to that Parliament. This Commission issued to 33 Lords, and others of his Majesties privy Counsell. The Commissioners are thereby commanded to raise monies by imposition and otherwise, as in their judgements they shall find to be most convenient. The causes wherefore these monies are to be raised, are exprest to be these, *The defence and safety of the King and people, which without extremest hazard of the King, Kingdom, and people, and of the Kings freinds and Allies beyond Seas, can admit no longer delay. INEVITABLE NECESSITY, wherein forme and circumstance must rather be dispenced with, all then the substance lost. The Commissioners must be diligent in the service, and not faile therein, as they tender His Majesties Honour, and the safety of the Kingdome and people. Here, salus Regni periclitatur, the whole Kingdome declared to be in danger, in greater and nearer then in the opinions, the Ship-writs or Judgements in the Chequer. In the Parliament of 3. Caroli, this Commission was adjudged by the Commons TO BE AGAINST THE LAWS OF THE REALM, AND CONTRARY TO THE JVDGEMENT GIVEN IN THE PETITION OF RIGHT; and after a conference with your Lordships, your Lordships desired His Majesty, that it might be CANCELLED: the then Lord keeper brought it shortly after Cancelled to your Lordships in the House, and there said, that it was Cancelled in his Majesties presence. You sent it Cancelled to the Commons to be reviewed; Who afterwards sent it back to your Lordships. My Lords, wee have not cited these Presidents of that Parliament, out of diffidence that your Lordships have forgot them, but because other have; or that wee distrust your Lordships Justice, if you had forgot them: for before these were, your Lordships concurred in opinion with your worthy Ancestors, that first gave them: their Noble blood runs in your veines. It is now TO CONFIRM YOUR OWN IVDGEMENT AS WELL AS THEIRS in your Lordships breast. There ARE NOW THE SAME MAGAZINES AND FOYNTAINES OF HONOUR AND IVSTICE AS WAS THEN. THESE IVDGEMENTS AND PROCEEDINGS WERE THE ACTIONS*

OF BOTH HOUSES: the DANGER by the violation ISL-  
QUALL.

So hee, and the Commons then resolved: with what face or colour of Law and Justice then, can any persons revive impose, enact, or justify this illegall Tax and Excise, now, (especially by a meer extrajudiciall *White-hall edict*, more illegall then that Commission under the great Seal, by the Kings and the whole Counsell: Order) who thus publickly censured the bare designe of imposing it by the King and his Counsell-table then, by Commission under the great Seal of England, which their paper Edict wants?

2 In a Remonstrance of the State of the Kingdom, 15 December 1641. (which I then read to the Excise-man) made, Printed and published by the whole Commons House of Parliament, and some of our present Grandees, then Members of it. *Brass collection* page 3. 4. 6. Wherein relating, the pressing miseries and calamities, the various distempers and disorders, which had not only assaulted, but even overwhelmed and extinguish'd the LIBERTY, peace and prosperity of this Kingdom, &c. The root of all this mischief, wee find (say they) TO BE A MALIGNANT and PERNICIOUS DESIGNE OF SUBVERTING THE FUNDAMENTALL LAWS and PRINCIPLES OF GOVERNMENT, upon which the Religion and JUSTICE of this Kingdome are formerly established. The Actors and promoters hereof have been.

1 THE JESUITED PAPISTS, WHO HATE THE LAWS, as the obstacle of THAT CHANGE and subversion of Religion, which they so much long for. &c. As in all compounded bodies, the operations are qualified according to the predominant Elements: so in this mixt party (let our late and new puny Statesmen observe it) THE JESUITED COUNSELS BEING MOST ACTIVE and PREVAILING, may easily bee discovered to HAVE HAD THE GREATEST SWAY in all their determinations; and IF THEY BE NOT PREVENTED, are likely to DEVOUR THE REST, and to turn them INTO THEIR OWN NATURE, &c. The first effort and evidence of their recovery, and STRENGTH was, the dissolution of the Parliament at Oxford, &c. The precipitate Breach with France, by taking their ships, &c. The Peace with Spain, &c.

The charging of the Kingdom with billered Shoulders in all parts  
 and the concomitant design of \* German Horse, that the Land  
 might either **SUBMIT WITH FEAR**, or **BE ENFORCED**  
**WITH RIGOR TO SUCH ARBITRARY CONTRI-**  
**BUTIONS, AS SHOULD BE REQUIRED OF THEM.**  
*The dissolving the Parliament in the second year of his Majesties*  
*reign, the exalting the proportion of five Subsidies, after the Par-*  
*liament dissolved, by Commission of Loan, and divers Gentle-*  
*men and others imprisoned for not yielding to pay that Loan.*

\* And have  
 not English  
 Horse of late  
 years, and still,  
 been billied in  
 most Counties,  
 for this very  
 end?

Nota.

**AN UNJUST and PERNICIOUS ATTEMPT TO EX-**  
**TORT GREAT PAIEMENTS FROM THE SUBJECTS**  
**BY WAY OF EXCIZE, and A COMMISSION GIVEN UN-**  
**DER SEAL FOR THAT PURPOSE;** (yet damned before  
 put in execution) *The Petition of Right which was granted in full*  
*Parliament blasted, &c. and the Petition made of no use, but to*  
*show the bold and presumptuous injustice of such Monsters, as*  
*durst break the Laws, and SUPPRESSE THE LIBERTIES*  
**OF THE KINGDOM,** after they had been so solemnly and  
 evidently declared. Another Parliament dissolved, *q. Caroli;*  
*the Privileges of Parliament broken, by imprisoning divers*  
*Members of the House, detaining some of them close Prisoners*  
*for divers Months together, &c. Upon the dissolution of both these*  
 Parliaments, **UNIRVE and SCANDALOUS DECLARA-**  
**TIONS PUBLISHED, TO ASPERSE THEIR PROCEE-**  
**DINGS, and SOME OF THEIR MEMBERS, TO MAKE**  
**THEM ODIUS, and COLOUR THE VIOLENCE**  
**WHICH WAS USED AGAINST THEM.** \* *Tonnage and*  
*Poundage hath been received without colour or pretence of Law,*  
*many other heave IMPOSITIONS CONTINVED A-*  
**GAINST, LAW, and some so unreasonable, that the Sum of the**  
*charge exceeded the value of the goods. The Book of Rates lately*  
*inbanced to an high proportion, and such Merchants as would*  
*not submit TO THEIR ILLEGAL AND UNREASONA-*  
**BLE PAYMENTS, were vexed and oppressed above measure,**  
*&c. A new and unheard of Tax of Ship-money was devised, upon*  
*pretent of guarding the Sea, &c. the exactions of Coat and Con-*  
*duct money, and divers other MILITARY CHARGES; the*  
*taking away of the Arms of the Trained Bands of divers Coun-*  
*ties,*

\* And are they  
 not so now by  
 a bare  
 White-hall  
 Order impos-  
 sing them, till  
 1658.

ties; the restraints of the Liberties of the Subject in their Libera-  
 tions, Trades, and other interest; their vexation and oppression  
 by Salt-keeper-men. Great numbers of the Subjects for refusing  
 those unlawful Charges, have been vext with long and expensive  
 Sutes, some Fined and Censured, others committed to long and  
 hard Imprisonments and Confinements, to the losse of health in  
 many, of life in some, and others have had their Houses broken  
 up, their Goods seized. Some have been restrained from their  
 lawful Callings, Judges have been put out of their places, for re-  
 fusing to do against their Oathes and Consciences. Others have  
 been so awed, that they durst not do their duties. Lawyers have  
 been checks for being faithfull to their Clients, &c. NEW  
**OATHS** have been forced upon the Subjects **AGAINST**  
**LAW, NEW JUDICATORIES ERECTED WITHOUT**  
**LAW.** The COUNCEL TABLE HAVE BY THEIR OR-  
 DERS OFFERED TO BINDE THE SUBJECTS in  
 their Free-holds, Estates, Sutes, and Actions; if all and every  
 of these, by the resolution of the whole Commons House, and many  
 in late and present power, were the fruits and effects of the most  
 active and prevailing Jesuited Counsel then, out of a malignant  
 and pernicious design of subverting the fundamental Laws and  
 Principles of Government, &c. What are all and every of these  
 particulars of late years, and still acted over and over again, in a far  
 higher, open, more avowed degree then ever, by persons in greatest  
 power, and parties to this Remonstrance; but the very effects  
 and products of the self-same Jesuitical prevailing Counsels, and  
 those many Jesuits now swaying, and sitting in Counsel amongst  
 us (as some *Grandeess* have lately avetred in their "printed *Spee-*  
*ches*, as well as private Conferences?) And if the very damned *Com-*  
*mission of Excises* before ever it was put in execution, was so ma-  
 ny years after thus publicly branded for an unjust and pernicious  
 attempt and result of Jesuited prevailing Counsels, to extort  
 great payments from the Subject; What is the late and present vio-  
 lent illegal imposition, collection, extortion of, from the exhausted  
 people, by *Excise-men*, *Forfeitures*, *Penalties*, *Fines*, *Confiscati-*  
*ons*, *Seisures of Goods*, and *Arms*, *Troopers* in some cases, and that  
 by a new erected *Council-Table* Ordinance (as they stile it) pre-  
 suming not only to make binding orders for private men, but

MANY

\* 4. Septemb.  
 1654. in the  
 Painted Cham-  
 ber.

**MANIFOLD** **HINDING LAWS** and **OR-  
DENANCES** for our three whole Kingdoms, printed in Folio  
and **TO IMPOSE** Monthly Contributions, **EXCISES**, **CUS-  
TOMS**, **TYNNAGE** and **POUNDAGE** ON THEM FOR  
SEVERAL MONTHS and YEARS YET TO COME, against  
the expresse Letter of the *Great Charter*, the *Petition of Right*, all  
forecited *Statutes*, *Judgements of Parliament*, and to repeal all  
these *Laws*, with others at once, as well as to erect new *Judicato-  
ries*, and impose such new *Oathes* and *Restraints* on their new  
Modelled *Parliaments themselves*, and the three whole King-  
doms, which no *English King*, nor *Council-Table* ever did in  
any age? The Lord give them, and the whole Nation, hearts to con-  
sider, repent, reform it, to prevent those manifold mischiefs and  
combustions which else may ensue upon it, and the evils such bad  
*Presidents* may produce in after ages, if not crushed, reversed, sup-  
pressed in the shell; being set on foot by those who professe them-  
selves the greatest *Patrons* and *Protectors* of our *Fundamentall  
Liberties*, *Franchises*, *Laws*, *Rights*, *Parliaments*, which they  
totally subvert, and the grandest enemies to arbitrary Govern-  
ment, *Tyranny*, *Oppression*, and *Jesuiticall Practises*, of which  
they over-much savour; if this *Remonstrance* of the whole *House  
of Commons* be *Judge*, and such of themselves who were *Parties*  
to it.

In \* A Declaration of the Commons assembled in Parliament,  
for bringing to condign punishment those that have raised false  
and scandalous rumours against the House, how THAT THEY  
INTEND to assesse every mans *Pewter*, and *LAY EXCISE*  
UPON EVERY *COMMODITY*. (which I shewed and read  
to the *Excise-man*.)

\* See the Go-  
vernment of  
the Common-  
wealth of Eng-  
land, Artic. 30.  
The O di an-  
ces printed in  
Folio amount-  
ing to near se-  
ven hundred  
and seven,  
pages.

\* See 21. R. 2.  
c. 11, 12, 13,  
16. 1. H. 4. c. 3  
& Rot. Parl. 3.  
H. 4. N. 21,  
22, 36, 48, 66,  
70. 11. H. 6. c.  
1. 39. H. 6. c. 1.  
17. E. 4. c. 7.

\* Exact Col-  
lection, p. 638.

Die Sabbati 8 October. 1641.

THE Commons House in Parliament, receiving information, that  
divers publick rumours and aspersions, are by Malignant per-  
sons cast upon this House, that THEY INTEND to assesse every  
mans *Pewter*, and *LAY EXCISE* UPON THAT and OTHER  
*COMMODITIES*, the said House, for their vindication therein  
declared, THAT THOSE RUMORS ARE FALSE and



**SCANDALOUS.** And for as much as these false rumors and scandals, are raised by ill-affected persons, and tend much **TO THE DISSERVICE OF THE PARLIAMENT,** it is therefore ordered, that the Authors of these false and scandalous rumors shall be searched and inquired after, and apprehended and brought to this House **TO RECEIVE THEIR CONDIGN PUNISHMENT.**

Ordered by the Commons in Parliament, that this be forthwith Printed and published (as it was accordingly).

By this Declaration it is most apparent,

1 That the very name and imposition of *Excise* (condemned so newly and frequently in Parliament both by the Commons and Lords) was so odious and detestable to the whole House of Commons now, that they utterly disclaim in publick by this Declaration (after the warres begun) the very thought and intention of imposing it on *Pewter, or any other commodities.*

2 That they renounce and brand the very first rumors and reports, that they intended to lay *Excise* upon any commodity, as false rumors and scandals raised by ill-affected persons.

3 That these false reports and rumors tended much to the disservice of the Parliament.

4 That the Authors of them, should be searched, inquired after, apprehended, and brought to the House as Delinquents, there to receive condigne punishment. What punishment then do the imposers, exactors, and levyers of it deserve? with what face, Justice, Honesty, conscience, then can any who were parties to this Declaration, after this publick disclaimer, lay *Excise* both upon *Pewter* and most other commodities, and justify the levying of it by force and violence, as some of them soon after did; and others have since presumed and continued to do verily, as I at first, and ever since this strange imposition, much grieved at, and protested to sundry of them against it in private, from time to time, with all earnestness, and some years since penned a publick Protestation against it, with an intent to print it, had it not miscarried; so I observed, that the laying on of this strange Imposition on the people, against this Declaration, and the other premises, was that which first and most of all alienated the peoples hearts and affections from the Parliament, gave greatest scandal to their real Friends, and most ad-

vantage

wanted to their Enemies; and some principal promoters of it were soon after blasted in their reputations, and taken out of the World by death; and what sad and forcible Dissolutions, and unparalleled Reverses, the real, and other fictitious Parliaments since have come to pass, (by those they most relied on for protection) which first imposed, and afterwards continued this and other *illegal Taxes on the oppressed people, against their own Declarations, Judgements, and all former Laws*, and what confusions they have brought on our three Nations, instead of Peace, Ease, Settlement, Liberty, Safety, Tranquillity, we have all of late years beheld with admiration and astonishment? and let others now beware by their examples, how they still continue them on the exhausted generally discontented Nation. *Lasa patientia sit furor*, Men will not be always mocked, oppressed in this kinde, but will cry out, **VIOLENCE and SPOYL**, Jer. 20. 8, 9. *And the burning fire shew up in their bones against it, will break forth into a fury at last, it will not be stayed or quenched,* \* but with the ruine of the *Tax-masters*, 1 King. 12. 15. to 20. This imposing of *Excise*, and other Taxes against Law, and the fore-cited Judgements, drew this just Censure from the late King, and the Lords and Members of the Commons House at Oxford, against the first Imposers and Extractors of them, in their \* Letter to the Earl of Essex the General of the Army, Jan. 27. 1643, to which they subscribed all their names. *That it were well, as they still press upon THE KING'S MAINTENANCE OF THE LAWS, they would also know, that their obligation to observe the same is reciprocal, and whiles they here resolve to defend the full power of this Parliament (which in their sense can be no other than the power they have exercised this Parliament) they would take notice, that they are therein so farre from the observation OF THE LAWS, that THEY DESPERATELY RESOLVE AN UTTER SUBVERSION OF THEM; for what can tend more to the destruction of the Laws, than to usurp a power to themselves, without the King, and against his will, to attribute to their Orders, or pretended Ordinances, THE POWER OF LAWS and STATUTES, TO ENFORCE CONTRIBUTIONS, LOANS, and TAKES OF ALL SORTS FROM THE SUBJECT; to imprison without cause shew'd; and then prohibit writs of Habeas Corpus for their enlargement.*

\* See Doctor  
Beards Theatre  
of Gods Judgements, l. 2. c. 3. §  
to 43.

\* A Collection  
of Ordinances  
ect. p. 453.

TO LAY EXCIZES VPON ALL COMMODITIES  
 to command and dispose of THE LIVES and ESTATES  
 of the Free-born Subjects of this Kingdom as their pleasure TO  
 IMPOSE TUNNAGE and POUNDAGE, CONTRA-  
 RY TO THE LAW DECLARED IN THE LATE  
 ACT FOR TUNNAGE AND POUNDAGE, and all  
 this done and justified by a LEGISLATIVE POWER found-  
 ed and inherent in them? All which ARE MANIFEST  
 BREACHES OF THE PETITION OF RIGHT and  
 MAGNA CHARTA, THE GREAT EVIDENCES  
 OF THE LIBERTIES OF ENGLAND; which Char-  
 ter bounds them by expresse words, as us, THOUGH AS-  
 SEMBLED IN PARLIAMENT, as well as the King; and  
 though it be not now, as heretofore it hath been; taken by solemn  
 Oath on the Peoples part; as well as on the Kings, nor a Curse  
 as heretofore pronounced on the Violators; yet they HAVING  
 TAKEN A PROTESTATION TO MAINTAIN  
 THE LAWS, and LIBERTIES, and THE PROPER-  
 TIES OF THE SUBJECT, and implicitly THAT  
 CHARTER, let them take heed whilst they make use of this  
 their PRETENDED POWER TO THE DESTRU-  
 CTION OF THE LAW, LEST A CURSE FALL  
 UPON THEM, and UPON THEIR POSTERITY.  
 What a suddain unexpected curse and blow fell upon some of the  
 principall Promoters of these illegal Taxes, Excizes; and Innovati-  
 ons first; and upon both Houses afterwards, by the Army raised  
 for their preservation, for whose support and pay all these Taxes  
 were first invented, and imposed by a new way of Ordinances (never  
 heard of, or used in Parliaments in any former age) we all know  
 by sad experience, and let our present Whigs, and other Grac-  
 ious, who late did, and still continued them in a higher degree with  
 farre less colour of Parliamentary authority, consider the Premises, and  
 their downfall, lest they incur the same, or a worse Curse and Judge-  
 ment, for imposing, and continuing still upon the exhausted people,  
 these illegal, unusual oppressions, by as new illegal Self-created pow-  
 ers, and pretended necessities, of their own making and lengthening.  
 And if they allege, It is just so to continue EXCIZES on the  
 people, till all the Debts secured by them be fully satisfied to such  
 par-

\* See my Pro-  
 narches Redivi-  
 nus near the  
 end, where it  
 is fully repea-  
 red.

particular persons who took this new Revenue for their Security:  
 Answer, First, it is the *Highest* unjust to continue an illegall  
 damned detestable publike Tax and oppression on the whole Eng-  
 lish Nation, (specially by as illegall wayes and powers to satisfy  
 private mens interells, Debts or pretended arreares.

Secondly, That those who advanced any monies upon such an il-  
 legall and condemned security, deserve justly to be punished with  
 the losse of their Debts, because the chief instruments of continuing  
 and supporting this heavy greivance to the whole Kingdome inju-  
 rious oppression.

Thirdly, That those pretended Debts being advanced only for the  
 support and maintenance of those illegall arbitrary powers which im-  
 pose and dispose of these Taxes at their pleasure, not for the pub-  
 like weal, ease and benefit of the Nation, it is just they only should  
 defray them out of their owne private estates who first made and  
 thus secured these Debts, for their owne advantage rather than the  
 peoples: it being a rule in Law, and common equity, *Qui sentis  
 commodum sentire debet et onus.*

Fourthly, The *Lawes of England* will rather suffer a private  
 mischief, than a generall inconvenience: therefore better these  
 pretended Debtors should suffer, to teach them more wisdom and  
 love to their owne liberties, Lawes, Country, and Country men  
 hereafter, than that the whole Nation should be still oppressed and  
 robbed by EXCISES and other illegall Taxes, Wee must not rob  
*Peter to pay Paul*, much less the whole Nation, to pay a few rich  
*Usurers*, who have (most of them) gotten great Estates, by publike  
*Brocage*, and making the whole Nations purse and faith their se-  
 curity and mortgage, who never really made any contract with  
 them for any loan of monies, taken up upon their credit, nor en-  
 trusted any others with such a power to make them their endless  
 Debtors and pay-masters til doomes-day.

4. As the whole *House of Commons* severally, so it and the *House  
 of Lords* too joyntly, after this, in their second Declaration against  
*Commission of Array*, 12 Jan: 1642 Printed and published by it  
 self first, and after that in exact collection page 884, 885: by their spe-  
 ciall Order, recite, approve, ratify and insist on the forecited Judge-  
 ment given against the *Commission of Excise* 3. *Caroli*. Where  
 thus they declare (which I likewise read) *Wee shall further clear*

in this our sense of the Petition of RIGHT, that it did intend TO TAKE AWAY ALL CHARGES OF WHAT NATURE SO EVER TO BE IMPOSED ON THE SUBJECTS BY THE KING ALTHOUGH FOR DEFENCE OF THE KINGDOME IN TIMES OF DANGER, by Authorities beyond all exception, &c. By the JUDGEMENT OF THE KING, THE LORDS and COMMONS, after the Petition passed. There was a Commission questioned IN PARLIAMENT, called THE COMMISSION OF EXCISE &c. (reciting the effect, and ground of it in the words aforementioned, and THE NECESSITY SO INEVITABLE, that form and circumstance must rather be dispensed with, than substance lost &c.) In that Parliament of 3 Carols, this COMMISSION WAS RESOLVED BY THE LORDS and COMMONS TO BE AGAINST LAW, and CONTRARY TO THE PETITION OF RIGHT; and upon the Lords desire to his Majesty, the same was Cancelled in his Majesties presence by his command, and was brought Cancelled to the House of Lords by the then Lord keeper, and by them afterwards sent to the Commons. By all that hath been said, it appears; THAT TO DEFEND THE KINGDOM IN TIME OF IMMINENT DANGER, IS NO SUFFICIENT CAUSE TO LAY ANY TAX OR CHARGE UPON THE SUBJECTS WITHOUT THEIR CONSENT IN PARLIAMENT: which they further prove by the *Act* then newly passed against *Ship money*. How any who were parties to this Declaration (as some in present power were) or any Patrons or Protectors of the Lawes, Liberties, properties of the Subject, or privileges of Parliament, can since this, or now, impose or justify the laying of Excise or any other *Impos*t Tax or *Tallage* whatsoever, upon the people, out of Parliament, by any *White-hall Order*, upon pretext of any *Imminent danger* or necessity, against this Declaration and resolutions; or any under Officers of theirs exact Excise from me or any other English freeman by their *non-parliamentary papers*, transcends my understanding to conceive.

Thirdly, It is Declared and Enacted by severall Printed *Acts of Parliament*, made by both Houses, and \* assented to by the King himself 16 & 17 Carols: That no Customs, *Impos*t, *Tonnage*, or *Powndage* is due, or can be imposed on any Goods or Merchandize,

\* See Exact Collections p. 189, 190.

*chandise, imported or exported, without* AN ACT OF PARLIAMENT; and that all such persons who shall exact or receive the same, without an *Act of Parliament, and grant and consent* both OF THE LORDS and COMMONS IN PARLIAMENT, SHALL INCURRE THE FORFEITURE AND PENALTY OF A PRÆMUNIRE. This Impost of *Excise* on *Hops*, and other Merchandize, falls within the generall compasse of these Acts.

And therefore I advised the *Excize-man*, with all *Customers*, and other *Officers*, to take heed how they demand or take *Excize*, or any other *Imposts, Customs, Tunnage or Poundage*, by colour of a *White-hall*, or any other *Ordinance*, not made by both Houses of Parliament, and settled by a real Act of Parliament, lest they incur the penalty of a *Præmunire*, and smart for it in conclusion, as some of the late *Kings Officers* did, if ever Law, Justice, or true *English* Parliaments come to take place again in the Nation, as no doubt they will in Gods due time; when such illegal paper Ordinances, or feigned *spurious Acts* of " *illegal Parliaments* will be no *Plea* to excuse or extenuate their crimes.

\* See 11 R. 2. c. 11, 14, 16. 1 H. 4. c. 3. rot. Parl. 7. 11, 13, 35, 42. 66, 70, 39. 11. 6. c. 1. 17. E. 4. c. 2. worthy passage.

Fourthly, After the late *Kings* beheading, the Army, Officers, and other *Commoners* who continued sitting at *Westminster*, without the Majority of the secured and secluded Members, or House of Lords, and arrogated to themselves ( beyond all former Presidents ) the Name and Title of the *Parliament of England*, in their Declaration of the 17. *Martii*, 1648. expressing the grounds of their late proceedings against the King, and settling the present Government in the way of a Free State, p. 7, &c. ( which I read to the *Excize-man* ) charged the King, as out-going all his Predecessors in evil, in that after the Loans and other Oppressions, which produced the MOST EXCELLENT LAW OF THE PETITION OF RIGHT, most of them were again acted presently after the Law made against them, which was palpably broken by him, almost in every part of it, very soon after his solemn consent given unto it, BY HIS IMPRISONING and PROSECUTION OF MEMBERS OF PARLIAMENT for opposing his unlawful will, and of divers worthy Merchants FOR REFUSING TO PAY TUNNAGE and POUNDAGE BECAUSE NOT GRANTED BY PARLIAMENT.



LIAMENT, *as* EXACTED BY HIM EXPRESSLY AGAINST LAW, *and punishment of many good Parliam. for not submitting to whatsoever he pleased to demand, though* NEVER SO MUCH IN BREACH OF THE KNOWN LAW. *His design to bring in the German Rites to AWE US INTO SLAVERY, and his hope of completing his Grand Project of* \*SHIP-MONY, TO SUBJECT EVERY MANS ESTATE TO WHATSOEVER PROPORTION HE PLEASED TO IMPOSE UPON THEM.

\* Now rev-  
ved and im-  
posed, amounting  
to forty thou-  
sand pound a  
Month.  
\* Was it net  
a thing of  
more strange  
impiety and  
unnaturalness  
in the General  
and Officers of  
the Parlia-  
ments own  
Army, raised,  
paid, Com-  
missioned,  
Sworn, and e-  
very way en-  
gaged for the  
defence of the  
Parliament of  
England, actu-  
ally to engage  
and bring up the Army again and again, to Impeach, Secure, Seclude, and Dissolve both  
the real and pretended Parliament of England before and since this Declaration? \* The  
Officers and Aismies coming in person to seize forty three Members at once, seclude  
above two hundred more, and the whole House of Lords was certainly a farre greater Of-  
fence, especially after the branding of the Kings AG, and his repentence for, and dis-  
claimer of it. \* But the Army Officers, with some Thousands of the Army, better  
armed and provided.

BUT ABOVE ALL THE ENGLISH ARMY was laboured by the King TO BE ENGAGED AGAINST THE ENGLISH PARLIAMENT; a thing of THAT STRANGE IMPIETY and UNNATURALNES for THE KING OF ENGLAND, that nothing can answer it but his own being a Forainer, neither could it easily have purchased belief, but by his succeeding visible actions in full pur-  
suance of the same. As the \* Kings coming in Person to the House of Commons to seize the five Members, whither he was followed with \* some hundreds of unworthy debauched persons, armed with Swords and Pistols; and other Arms, and they attending at the door of the House, ready to execute whatsoever the Leader should command them (but yet secured, secluded, or offered violence to none, nor ever entered the House, as the Souldiers did both before and since.)

- Upon all these and many other unparralleld Offences, upon his breach of Faith, Oaths, and Proceffations, and let all the world of indifferent men judge, whether the Parliament (so they term themselves) HAD NOT SUFFICIENT CAUSE TO BRING THE KING TO JUSTICE.

It seems strange to me, that any of those who thus re-  
monstrated against the late King, and justified the bring-  
ing of him to Justice for all and every of those particu-  
lars, should before and since Imitate or exceed him in all  
and every of those particulars; and more especially in the  
EXCISE; so diametrically contrary to the excellent  
Law of the Petition of Right, as the premises resolve;  
which EXCISE he never exacted or put in execution, after  
the dissolving of the fore-said Commission. And let all the  
world of indifferent men judge, whether the Parliament  
and people of England, have not as just, as sufficient  
cause to bring them to Justice for it; as ever they had, or  
pretended to have, to bring the King to Justice for the  
same: If Rom. 2. 1, 2, 3. be either good Law or  
Gospel: the rather; because they resolve in that Decla-  
ration, an unaccomprable Officer (as the King pretended  
himself) to be a STRANGE MONSTER IN NATURE  
and no wayes to be suffered in any State or Government.

§ Whereas the Excise man, pretended Excise for Hops, to be  
a duty by vertue of a White Hall Late Ordinance, as he termed  
it: I therupon read unto him the 36 articles of the Govern-  
ment of the Common-wealth of England, &c. viz; That the Laws  
shall not be altered, suspended, abrogated or repealed; nor ANY  
NEW LAW MADE, NOR ANY TAX, CHARGE OR  
IMPOSITION LAID UPON THE PEOPLE, BUT  
BY COMMON CONSENT IN PARLIAMENT; Save  
onely as is expressed in the thirtieth Article, viz. That the rais-  
ing of money for defraying the charge of present extraordinary  
Forces, both by Land and Sea, in respect of the present Warres,  
SHALL BE BY CONSENT IN PARLIAMENT, and  
NOT OTHERWISE: Save onely that the Lord Protector,  
with the consent of the Major part of his Councell, for pre-  
venting the disorders and dangers which may otherwise fall out  
both by Sea and Land, shall have power UNTILL THE  
MEETING OF THE NEXT PARLIAMENT,  
to raise Money for the purposes aforesaid, as also to  
MAKE LAIVES and ORDINANCES for the peace and  
welfare of these Nations, where it shall be necessary, which

D

SHALL

SHALL BE BINDING & IN FORCE, untill order shall be taken in Parliament concerning the same. And this clause in the oath, p. 46. I do swear and promise in the presence of God; that I will not violate or infringe the matters & things contained therein, but to my power observe the same, and cause them to be observed. And so in all other things, to the best of my understanding GOVERN THESE NATIONS ACCORDING TO THE LAWS, STATUTES and CUSTOMES. Now admit this Instrument & Saving to be valid and legal; yet it limiting the Whiteball power of raising monies (and that onely for the Forces by Land and sea in respect of the Warres, which are ended) till the meeting of their first Parliament (and no longer) which was past in their accompt 23 dayes before their demand of Excise for Hops, as a duty; those very articles of the Government discharged me and all others from it by vertue of any Whiteball Power or Ordinance. But this saving being contrary to the body of the Articles; to all the forementioned Statutes, Great Charter, Petition of Right, Judgements and resolutions of Parliament, and destructive to the Priviledges and Rights of Parliaments themselves, in whom the Legislative and Tax imposing authority wholly, solely and incommunicably resides, as all our Parliaments Statutes, Law-books, Records, Histories in all ages have resolved, and the body of these two Articles confesse, it must needs be void and nugatory to all intents and purposes in all Lawyers, and judicious mens Judgements, and can give them no legall or reall authority to make binding lawes, Ordinances, or impose any Taxes, imposts, or Excises by colour thereof.

If the Parliament it self by speciall Act of Parliament, should give any speciall Committee of Lords and Commons Authority or Power to make binding Statutes, Acts, Ordinances, or to impose Taxes on the people, or repeal or alter any former Lawes and Statutes with the Kings Royall assent, as the Parliament of 21 R:2.c.16, 17, 18, 19, 20. And yet all such Acts, Ordinances, Lawes, Taxes, alterations, repeals of Lawes, would be null and void, though ratified by the Kings assent, and ought wholly to be revoked, reversed, voided and undone.

repealed and annulled for ever; as being IN DEROGATION OF THE STATE OF THE PARLIAMENT, TO THE GREAT INCOMODITY OF THE WHOLE REALM, and OF PERNICIOUS EXAMPLE; and NEVER TO BE DRAWN INTO EXAMPLE IN ANY FUTURE TIME, as is declared, resolved in the Printed Statute of 1. H. 4. c. 3. and more fully in the Parliament Rolls of 1. H. 4. num. 26. 48. 66. 70. worthy perusal. Much more then must the powers granted to any Person or Persons by this Instrument (made out of Parliament, by persons yet unknown for the most part) to impose any Taxes, or make binding Laws and Ordinance, be null and void to all intents, to oblige our whole three Kingdoms, or any one English Freeman, or after, repeal any former Laws or Statutes of the Realm by which the people are onely to be governed at all times. The Statutes of 31 H. 8. c. 8. and 34 H. 8. c. 23 authorised the King for the time being with the advice of his Council or the major part of them, to set forth Proclamations; (in some cases onely) under such pains and penalties, as to him and them should seem necessary; which shall be observed AS THOUGH THEY WERE MADE BY ACT OF PARLIAMENT. Provided alwayes that this should not be prejudiciall to any Persons Inheritances, OFFICES, LIBERTIES, GOODS, CASTLES OR LIFE; In the passing of which Acts, many liberall words were spoken (against Proclamations) and a plain Promise; (as well as proviso) made, that by authority of the Act for Proclamations, NOTHING SHOULD BE MADE CONTRARY TO ANY ACT OF PARLIAMENT OR THE COMMON LAW; as Stephen Gardiner Bishop of Winchester, records and writes in his Letter to THE LORD PROTECTOR in Edward the sixth his Reign, yet this power was held so dangerous, that it was repealed by the Statute of 1 E. 6. c. 12. But never did any Parliament grant any King of England, and his Council the least power to make binding Laws, and Ordinances, or impose Taxes, Customs, Imposts or Excises in any age, nor to act any thing against any statute or the Common-

a Fox MSS and Monuments in the oldest Edition, p. 7. 41. See A New Discovery of the Pretences of Tyranny, p. 210, 211, 212

*Law, much lesse against the Great Charter and Position of Right, And therefore this power granted by this new illegall Instrument, to all or any at Whitehall, to make binding Lawes and Ordinances, and impose any Taxes, Customs, Imposts, or Excises, whatsoever is meerly void, null in Law to all intents; and all Ordinances, Laws, Taxes, Excises, made and imposed by pretext thereof, wholly illegall, null and ineffectuall to all intents, and fit to be so declared by the whole Nation and their Trustees, to prevent the dangerous President and consequences of it in future times) and the monthly Contributions, Excises, Imposts, Customs imposed by them for sundry Moneths, and years yet to come, against the very Letter of thirtieth Article, as well as of the forecited Acts, Declarations, and Letter of the Oath therein contained (so soon after the taking of it) must needs be esteemed and declared void; and no wayes to be owned or submitted to as binding, valid, legall, by my self or any others who have taken the Solemn Protestation, League, Vow, and Covenant to maintain and defend the lawes and liberties of the Realm, and Rights and Priviledges of our English Parliaments in our severall places, and callings, with constancy, faithfulness, and sincerity according to our power, And this was that I then alledged against Excise in generall.*

*As to the Excise for Hops in special, and that is to be paid by the owner and grower before any sale, I protested against it, as most unjust, and unreasonable for three Reasons.*

1. *Because men were enforced to pay full Monthly Contributions (though illegally imposed) all the year long to the value of the Ground and Land whereon the Hops do grow, which yields no other Crop or benefit, but Hops; out of which, both the rent to the Landlord, and likewise Contribution must be raised: And to enforce men to pay Excise out of that for which they pay full Contribution, without any deduction for the Excise: is a double Tax, and oppression for the self same thing, and they may as well exact Excise for any sort of Corn, and Hay,*

as for *Hops*, without defalcation for the Contribution out of the Land whereon they grow, there being the self same reason for both.

2. Because *Hops* are a great certain Charge, and most uncertain Commodity and Gain. The last year before this there was such a blight, that I and others, had not the sixth part of the ready money disbursed out of purse for the dressing and polling of them; and this year the crop of *Hops* was so small, that it would hardly quit the cost bestowed in dressing, polling, tying, gathering. And to enforce men to pay not onely monethly Contributions, but excise likewise, for that domestick native Commodity, for which they are out of purse, and so great losers without any gain, is to adde *Oppression to affliction*, and against all Rules of Justice and Conscience.

3. Because by the Common Laws of England no Toll is due for any native vendible Commodity till it be sold by the Owner, as is resolved, 9. H. 6. 45. Brook Toll 2. and if a man buy *Hops* or any other Commodities, for his own private use and family, no Toll by the Common Law 28. Aff. 53. 9. H. 6. 25. Brook Toll 1. 7. Therefore to exact Excise for *Hops*, before their sale; before we know when, or to whom, or at what rate to sell them, or if sold to any for the use of their particular families was both illegall and unreasonable.

Upon all these grounds and Reasons, I declared and protested to the Exciseman, that I was resolved upon no terms whatsoever to pay any Excise at all for *Hops*; but to question and oppose it to my power according to my Protestation, Vow, Solemn League and Covenant, for my own and the whole Nations future ease from this oppressing illegal grievance and Dutch Devill, as most siled it; which I conceived all Patrons of publique Liberty would now cordially and unanimously joyn together throughout the Nation, to conjure down to Hell again, from whence it was first raised by those, who formerly condemned and sent it packing thither. The Exciseman hereupon answered with much Civility and respects, That he would not have suffered any other, so to dispute the business with



with him as I had done: but his respects towards me were such, having been an eminent sufferer heretofore for Religion and Publick liberty, for which he well knew I had sustained very great losses in my estate, and being a Gentleman whom he truly honoured, that he would by no means bring my name in question; and therefore my Crop of Hops being so mean (which he wished for greater) he would demand nothing from me for them: And so the Minister calling on me, to go to the Sermon; he departed very friendly and fairly to his tune, and I unto the Church to the Lecture.

Since which being informed, that other Excise-men in Gloucestershire have most strictly exacted Excise for Hops from others of my friends by colour of this Whiteball Ordinance; and that the buyer will be forced to pay Excise for my Hops, though nothing be demanded from me; which will be deducted out of the price: although the value considered in it self will be very small, yet since the consequence of it, is and will be very great to the whole Nation, as well as prejudiciall to my self and friends, both for the present and future; I held it my duty to make this my private Declaration and Protestation, publick, for the present and future benefit of the whole English Nation, to whose Judgements, Consciences, Censures, I humbly submit it, at this season. The rather because it pleased God the very next morning after this my Declaration and Protestation made to the Excise-man, to take out of this vale of Misery, my dearly-beloved Christian Brother, and fellow sufferer, for Religion and liberties, Doctor John Bastwick: And therefore seeing I know not how many dayes or hours I may survive him, or whether I shall have any more time, or so seasonable an opportunity to publish any thing of this subject, or to do any further service in these last and perilous times, for the Church and people of God, or my native Countrey, by completing those larger works, intended by me for posterity, If God shall prolong my life, health and Liberty, I thought meet, whilst I had life and opportunity, to do what good I could, whilst it was in the power of my hand

to do it, and while I had this by me. It was our Saviours own  
 Speech and practise, John 9. 4. I must work the works of him  
 that sent me, while it is day; the night cometh when no man  
 can work. And it is Gods own advice and precept, Eccles. 9.  
 10. If thou findest thy hand findeth to do, do it with thy might, for  
 there is no work, nor device, nor knowledge, nor wisdom in the  
 grave, whither thou goest. And therefore lest this small use-  
 full Piece, (as I conceive it) should dy and perill with  
 me; I have endeavoured to make it publick, before I go *Psal. 39. 13.*  
 hence and be no more: and If it please almighty God to in-  
 fuse such a vigorous spirit into it, and bestow such a tran-  
 scending blessing on it, as to make it instrumentall by his  
 Omnipotency, to give a mortall wound to all those illegall  
 Excises, Taxes, Imposts, &c. under which our impoverish-  
 ed Nation hath so long groaned and languished (in these  
 times of cheapnesse of all Corn, and Countrey Commo-  
 dities, and scarcity of Coyn, is no way able any longer  
 to pay or bear) or to bring them to, or bury them in  
 the grave of perpetuall obscurity, so as never to rise up again,  
 before I die: I shall then with old Simeon joyfully sing a  
*Nunc dimittis*: And if it stand with Gods blessed pleasure)  
 I will with the triumphant Prisoner and martyr of Jesus Christ,  
 Saint Paul, 2 Cor. 4. 6, 7, 8. I am now ready to be offered, and the  
 time of my departure is at hand: I have fought a good fight, I have  
 finished my course, I have kept the faith: henceforth there is  
 laid up for me a Crown of righteousness, which God the righte-  
 ous Judge shall give me at that day, in heaven; after all my  
 Bonds, Imprisonments, Persecutions, Sufferings, in-  
 grate requitall of my faithfull service for my God and  
 Countrey here on earth.

FINIS.

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A BRIEFE  
POLEMICALL DISSERTATION,  
concerning the true Time of the  
INCHOATION and DETERMINATION  
OF THE  
LORDS DAY-SABBATH.

Wherein is clearly and irrefragably manifested by *Scripture, Reason, Authorities*, in all Ages till this present:  
that the *Lords day begins and ends at Evening*; and  
ought to be solemnized from Evening to Evening: against  
the Novel Errors, Mistakes of such, who ground-  
lessly assert; that it begins and ends at *Midnight*, or *day-  
breaking*; and ought to be sanctified from *Midnight  
to Midnight*, or *Morning to Morning*: whole  
Arguments are here examined, refuted as  
*unsound, absurd, frivolous.*

Compiled In the Tower of London, and now Published, for the  
Information, Reformation of all contrary Judgment or Practice.

By WILLIAM PRYNNE of Swainswick Esq.

Levit. 23. 31. *From Even to Even shall yee rest, or Celebrate your Sabbath.*

Capitula Caroli & Ludovici Imperatorum lib. 6. cap. 186. 202. Diem Domini-  
cum secundum Reverentiam colite; Opus servile, id est, Agrum, pratum,  
viniam, vel si qua graviora sunt, in eo non faciatis; nec causas, nec calumnias  
inter vos dicitis, sed tantum divinis cultibus serviat. & a vespera ad vesp-  
erā dies Dominicus servetur: Placuit ut fideles Diem Dominicum, in quo Do-  
minus resurrexit, omnes venerabiliter colant. Nam si Pagani, ob memoriam &  
Reverentiam Deorum suorum quosdam dies colunt, & Judæi more carnali  
Sabbatum carnaliter observant, quanto magis iste dies à Christianis honori-  
fice colendus est, ne in illo sancto die vanis fabulis, aut locutionibus, sive can-  
tationibus vel saltationibus, aut diversionibus, stando in bivis & plateis, ut  
soles, in servant: sed ad Sacerdotem, aut ad aliquem sapientem hominem  
veniant, & eorum prædicationibus & bonis locutionibus, quæ ad animam  
pertinent, utantur; & illo die seu Sabbato ad Vesperas, & ad Matutinas, sive  
ad Missam cum eorum oblationibus; si fieri potest, omnes cavendo, Kyrie  
eleison, decantent: Similiter Pastores pecorum eundo & redeundo in cam-  
pum, & ad domum faciant, ut omnes eos verè Christianis, & devotes cog-  
noscant.

LONDON,

Printed by T. Mabb for Edward Toomes dwelling in Green  
Arbour, 1655.



## To the Christian Reader.

**K**inde Reader, Give me leave to inform thee of the true Original cause impelling me to compile this Dissertation at least 20 years since, whiles a Prisoner in the Tower of London.

When I was a Student and Esqy Barrister in Lincolns Inne, it was the constant custome of that House and all other Inns of Court from All-Saints Eve, to Candlemas night, to keep open Revels, Dancing, Dicing, and Musick in their Halls ever Saturday night (as we usually call it) till eleven or twelve of the clock, and many times till 4, in the morning or later; by reason of which abuse, the Lord'sday was much prophaned, and God's publicke Ordinances on the Lord'sday morning neglected, by the Revellers, Students, Officers, Gamesters, Musicians and Spectators, who slept out the Forenoon Sermons and other divine Exercises for the most part, either in their Beds or at Church, if they resorted to it: Which being a great cora-  
fitive to my Spirit, grief to my heart, and scandall to many Religious Lawyers, Students and our Lecturers. I used my best endeavours to reform this long continued abuse; and by my interest in some pious Benchers of Lincolns Inne, procured them by an Order of Counsel to suppress all publique Gaming and Dicing in the Hall, with all Grand Christmasses and disorders on that abused Season; and likewise to restrain the length of their Revels on Saturday nights, by confining them to a certain houre, though they could not totally suppress them, as they and I desired, being over ruled therein by the majority of the Benchers, pleading long prescription, custome, and unwillingness to displease the Revellers and young Students, for their continuance: Whereupon I did in my *Histrionomastix* printed 1632. (Dedicated to the Benchers of Lincolns Inne) produce the Decrees, Laws, Statutes, Canons of many Christian Emperours, Kings, Seases, Councils, and Resolutions of Fathers, Casuists, Schoolmen, and Protestant Divines Forraign and Domestick, to prove the unlawfulness of Stage Plays, Revels, Dancing, Gaming, Sports, and Pastimes on the Lord'sday, and on Saturday nights, (as we usually styled them) proving at large page 638. to 647. by sundry Reasons and Authorities in all ages (there cited) and likewise in the Table: That the Lord'sday begins Saturday Evening, not at Morning or Midnight following; that so, I might in point of Conscience, suppress all Revels, Gaming

See the epistle Dedicated.



and disorders used in our Innes of Court, and elsewhere throughout the Realm, on Saturday nights, being part of the Lords ordinary, fit to be spent in better exercises of Piety and devotion. The Assertion of the Lord dayes Inchoation at Evening, being contrary to the received Opinion of most of our Modern Writers and Divines, was looked upon as a strange Novelty by many, as well as my Historiastix, and censure of Stage Players as unlawful, unchristian Pastimes; for which (though licensed by Archbishop Abbots Chaplain) I was committed Prisoner to the Tower of London by the Lords of the Council, Febr. 1. 1632. and afterwards severely censured in the Starre Chamber, for it, as scandalous to the King, Queen, Court, State through Lawds and others malice and prevailing Power; which Sentence was since reversed by the unanimous Vote of both Houses of Parliament, as illegal and given without any cause at all.

b See a New  
Discovery of  
the Prelates  
tyranny, p. 1. & 6

Hereupon for the satisfaction of some Christian Friends as well Lawyers as Divines, who scrupelled this Opinion of the Lord dayes Evening Inchoation (though they could not answer, nor deny the Reasons and Authorities there produced by me, for its justification) I did in the year 1633. compile this Dissertation, in the Tower, which I communicated to my learned friends of the Law and Ministry, who professed themselves abundantly satisfied with it; some of them transcribing Copies thereof for their private use. After which, to passe my Solitary Prison-houres with as much publike benefit, as I could, I went through all the Controversies touching the Sabbath, Lord day, and more especially concerning the use of Pastimes on it; which the Kings (or rather Lawds) Declaration for Sports, occasioned; and Bishop White, Dr. Heylin, Dr. Poclington, and others had ben raised, debated in their Discourses, and Histories of the Sabbath; with an intension to have published them at that Season. But the Printing Presses being locked up and strictly watched by Lawd and the Bishops then swaying, against all Treatises of this Subject in opposition to the Anti-Sabbatarian Pamphlets, I was necessitated to lay them by for that season, and to communicate some of them to such friends, who made use of them in some of their printed Discourses of the Sabbath, and Lord day, since the Prelates power was eclipsed: Onely I then contenting my selfe with a Preface to my brother Burtons Divine

**To the Reader, T**

Divine Tragedy; it is Examples of Gods Judgments upon Sabbath-breakers; and some necessary Additions to the former Impress of his Dialogue Between A and B. concerning the Sabbath Morality; and unlawfulness of Pastimes on the Lord's day; both printed in the year 1650. by my self for one of the great satisfactions of godly Christians. After which, Gods Providence directed my Thoughts and Studies to other reasonable Subjects and Publications, Against our Lordly Prelates pretended Divine Right, Popish Innovations, Usurpations on the Kings Prerogative, and Peoples Liberties, Treasons, Schismes in all ages, which occasioned their downfall not long after. These wily Foxes being unable to answer my Books against them; thereupon by A. P. Second unrighteous Tyrannical Censure in Star-chamber, and extravagant Council Table Orders sent me close Prisoner, first to Carisbrooke Castle in Northwales, and from thence to Mountarguel Castle in Jersey, depriving me the liberty of Pen, Ink, Paper, Books, access of friends, and all humane conversation, to hinder me from writing; seized all my Books, Writings, Papers they could meet with; searching divers of my friends Houses as well as my Chamber and Study for that end; Yet Gods Providence preserved this small Treatise (with some others touching the Sabbath Lord's day, and unlawfulness of Sports or Pastimes on them; against which I mustered up the concurrent opinions of Fathers, Councils, Christian Emperours, Princes, Edicts, Popish, Protestant Writers of all sorts in all Ages, yet unpublished) from their Clutches; and the strict Searchers of other late Grandees since; and brought them safe to my hands again, when I deemed them quite lost. Whereupon, conceiving it agreeable to Gods good pleasure (who miraculously preserved this Dissertation about twenty years space; during all my Troubles, and amidst our publique Wars and revolutions) that it should be made Publike for the Information and benefit of his Church, People; and not be buried in Oblivion; and being the only complete Treatise of this Subject I ever yet heard of; which others have but briefly slightly touch'd; I rather then HANDED in them. Disclosure of the Sabbath or LORDS DAY; I thereupon resolved to make in publike; and committed it to the Presse, in this Scepticall age, when





A Brief  
**Polemicall Dissertation**  
 concerning  
**THE TRUE TIME**  
 of the  
**INCHOATION**  
 AND  
**DETERMINATION**  
 of the LORDS-DAY.



**T** hath been a great *Question* of late times among private *Christians*, and *Divines*, when the *Lords-Day* (being no artificiall, but a *naturall day* consisting of 24 hours, as they generally acknowledge) should begin and end? Whether at *Evening*, *Morning*, or *Midnight*?

a Gen. 1. 5.  
 Exod. 10. 7. 8. 9.  
 10. Levit. 23.  
 32. Neh. 13. 19.  
 Luke 23. 54. 56  
 c. 29. 1.

Certainly, if I may freely vent my thoughts without offence, I conceive (under correction of graver judgements) that in divine & true account, it begins & ends at *Evening*, immediately after *Sun-set*, when the *Twilight* ends, and the *Evening Starre* begins to shine: A truth so manifest, in my poor apprehension, that it is uncapable of any dispute.

b Neh. 4. 21.  
 Anselmus de  
 Imagine mundi.  
 l. 2. c. 4. Alcuinus  
 de Eccles.  
 Officiis c. 43.  
 Col. 1. 12. 8.  
 c. Polidor. Virgil.  
 de Inventor. rerum l. 2.  
 cap. 5.

For the clearer resolution whereof, I shall in the first place admit, that men in civil respects may begin and conclude their dayes at severall houres, according to the received computation of their Countrey: Some nations commencing and closing up the day at *Morning*; others, at *Noon*; o-

d Pupilla seu  
B pars 9. c. 6.  
Summa An-  
gelica. Tit. Dies  
Hosienfis  
Summa l. 2. Tit  
de Feriis  
f. 149. Lind-  
wood Provins.  
Constit. l. 2. Tit.  
de Feriis f. 74.  
e Psal. 74. 16.  
Dom. 2. 20. 21.  
Act 1. 7.  
Conclusion.

others, at Midnight, others at Evening. <sup>d</sup> And the Canonists likewise beginning and concluding the day at midnight in regard of Contracts; at morning, in respect of judgements passed; in at Evening regard of sanctification and religious observation. But yet in all divine relations, men are not left at liberty to set what bounds or limits they please to dayes appropriated to Gods more speciall worship, but they must observe those meets, which God himself (the <sup>e</sup> Sovereign Lord of days and times) hath prefixed to them, beginning, ending their sanctification of them (being a part of his own worship and service) at such time as he hath appointed, which is none other than the Evening, the boundary he first set to dayes, both for naturall and sacred uses.

To put this out of further Controversie, I shall first of all propound such reasons and authorities as irresistably evidence; That the Lords day ought to begin and cease at Evening: then answer such Objections and Replies, as are, or may be opposed against it. And here for the more perspicuous manifestation of the truth, before I proceed to any punctuall probation of the point in question, I shall premise and make good these five conclusions, which will soon over-rule and resolve it.

First, That all dayes in Scripture and divine calculation, begin and end at Evening.

Secondly, That the seventh day Sabbath in Scripture account, did alwayes commence and determine at Evening; and that the Jews did ever solemnize it from Evening to Evening.

Thirdly, That the very first day of the week whereon our Saviour rose again, began and ended at Evening, in divine computation, or Scripture account.

Fourthly, That this beginning and concluding of dayes at Evening, is perpetuall and immutable.

Fifthly, That Christs Resurrection in the morning, did no wayes alter the beginning or end of dayes, nor yet translate the beginning of that first day whereon he arose from Evening to Morning; nor change the former limits thereof.

Conclusion. 1

For the first of these, That all dayes in Scripture and divine calculation begin and end at Evening; it is most apparant.

Proof. 1.

First, by Genesis, 1. 5, 9, 19, 23, 31. where the Scripture is expresse in point; that at the very Creation of the world

world and beginning of time and dayes, the Evening and the Morning made the first, second, third, fourth, fifth, sixth, (and by consequence the seventh) first dayes that ever were; the only patterns for the inchoation and determination of all dayes since: the Evening, being here placed before the Morning (as Expositors observe) by God himself, because the day in naturall and divine account begins at Evening, the Evening and darknesse being preceding to the morning and light, even in point of time, Gen. 1, 2, 3.

*f In Genesi non  
no precedens  
dies est, sed sub-  
sequens, id est  
principium fu-  
turi, non finis  
præteriti. Hic-*

Secondly, it is evident by Exod. 12. 3, 6, 12, 29, 42, 51. compared and paralleled with Levit. 23. 5. Numb. 9. 11. cap. 28. 16. Deut. 16. 4. Josh. 5. 10. 2 Chron. 30. 15. 35. 1. Ezra 6. 137. G. 19. 20. and Ezech. 45. 21. (all treating of the time when the Paschever was to begin) In the tenth day of this Moneth, they shall take to them every man a Lamb, a Lamb for an house, and ye shall keep it up, untill the fourteenth day of the same Moneth, and the whole Assembly of the Congregation of Israel shall kill it in the Evening: For I will passe through the Land of Egypt this night, and will smite all the first born of the Land of Egypt both of man and beast. In the fourteenth day of the first moneth at Even, is the Lords Paschever; the fourteenth day at Even shall they keep it. And the children of Israel went away, and did as the Lord had commanded: And it came to passe that at midnight the Lord smote all the first born in the Land of Egypt, &c. It is a night to be much observed unto the Lord, for bringing the children of Israel out of the Land of Egypt, And it came to passe the self same day that the Lord did bring the children of Israel out of the Land of Egypt by their Armies. From which words it is apparant;

*rom. in Jonam  
c. 2. Tom. 4.  
P. 137. G.  
Proof 2.*

1. That the fourteenth day of the Month Abib, on which the Paschever was kept, began in Scripture account, at Evening:

1. Because they were to keep the Paschal Lamb, untill the fourteenth day, and then to kill it in the Evening; therefore that day began at Evening.

2. Because the feast of the Paschever, with the killing, dressing and eating of the Paschall Lamb did commence at Evening; therefore the day too, which no doubt the Feast began: for if the day began not till the following morning, the Paschever had been kept be-



fore it, not upon it, upon the thirteenth not the fourteenth day of the month.

2. That that Evening and night on which the Pasſeover was kept, was part of the following, not of the foregoing day.

1. Because this Feaſt of the Paſſeover was ~~to~~ kept the whole fourteenth day, in remembrance of Gods paſſing over the Iſraelites, ſlaying the Egyptians, and delivering his people out of Egypt: Since therefore they began not to kill and eat the Paſſeover in the morning, but at Evening, the Evening muſt neceſſarily begin the day, and be a part onely of the following day, not of the day preceding it; elſe it would have been but an half-holy day, and no more, the whole preceding day being not ſolemnized, but the night alone; or at leaſt, a holy day made up of the Evening of the fourteenth, and the morning of the fifteenth day, not of the fourteenth day alone; both which are directly contrary to the Text.

2. Because this celebrating of the Paſſeover the fourteenth day at Evening, was done in memory of Gods paſſing over them, and ſlaying the Egyptians at midnight following; and bringing them out of Egypt with their Armies the next morning: this Evening therefore muſt be part of that day to which Midnight and the Morning following did belong, which muſt neceſſarily appertain to the fifteenth, not the fourteenth day, if the fourteenth day began the midnight or morning before, and not that very evening; and ſo the fourteenth day ſhould be ſolemnized for a deliverance happening on the fifteenth day, not on it; which were abſurd to think. The deliverance therefore happening the midnight and morning which ſucceeded this Evening, it muſt doubtleſſe be ſolemnized as part of the ſubſequent, not of the precedent day.

3. Because the Text ſaith expreſſly, *Exod. 12. 51. The ſame day the Lord brought the children of Iſrael out of Egypt by their Armies*: therefore this Evening and Midnight were part of the enſuing day, becauſe the Iſraelites departed not out of Egypt with their Armies till the morning following, as that Chapter manifeſts: and yet the Scripture ſaith;

saith; that they departed out of Egypt the same fourteenth day, wherean they did eat the Passover, and God slew the first-born of Egypt. This fourteenth day therefore in divine calculation, both as a naturall day, and as a Passover day too, began and ended at Evening; and so by consequence all other dayes.

Thirdly, it is most clear by *Exod. 12.18,19.* compared *Proof 3.* with *Levit. 23.5,6.* and *Numb. 28.16.* In the first moneth on the fourteenth day of the moneth at EVEN: Seven dayes shall there be no leaven found in your houses: seven dayes shall unleavened bread be eaten. This Feast of unleavened bread was to continue seven dayes: but these dayes and this Feast by Gods own limitation did begin and end at Evening: for the Text is expresse, that on the fourteenth day at EVEN they should eat unleavened bread till the twenty first day at EVEN: The Evening therefore was both the Alpha and Omega of this Feast, of all these dayes in Scripture reckoning, and so by consequence of all other dayes.

Fourthly, this is as clear as the Sun at Noon-day, by *Proof 4.* the Ceremoniall Laws concerning uncleanness. On any dayes or seasons of the year, if any of the Israelites chanced to be legally unclean, in some cases they were to remain unclean for one day: in others, for seven dayes. But how did these dayes begin and end, in Gods account? Certainly at Evening: For all the Texts run thus concerning him who was unclean for one day; He shall be unclean untill the Even: and when the Evening cometh on, he shall wash himself with water, and when the Sun is down, he shall come into the Camp again. And thus concerning the other: On the seventh day he shall purifie himself, and shall be clean at Even, witness *Deut. 23.11.* *Numb. 19.7,8,11,12,16,19,21,22.* *Levit. 11.24.* to *40.c.15.5.* to *27.c.17.15.c.22.6.* All dayes therefore in divine computation, began and concluded at Even, since all the dayes of mens ceremoniall uncleanness did so; which uncleanness might befall them upon any day whatsoever.

Fifthly, it is perspicuous by the Israelites Solemn Fasting dayes, which commenced and ended at Even, For *Proof 5.*

they usually fasted untill Even, Judges 20. 23. 26. 2 Sam. 1. 12. Their dayes therefore being but the limits of their Fasts (for they fasted sometimes <sup>h</sup> one day, sometimes two dayes, sometimes three, or more) did questionlesse begin and determine at Even: in their own and Scripture computation.

h See 1 Sam. 7.  
6. c. 31. 13.  
1 Chron. 10. 12.  
Neb. 1. 4. Esh.  
4. 16. Jer. 36. 6.  
Dan. 6. 18.  
Proof.

Sixthly it is apparent, by Deut. 21. 22, 23. If a man be put to death, and thou hang him on a tree, his body shall not remain all night upon the tree; but thou shalt in any wise bury him that day: compared with Joshua 8. 29. and cap. 10. 26. 27. And the King of Ai be hanged on a tree untill eventide: and as soon as the Sunne was down, Joshua commanded that they should take his carcassee down from the tree, &c. And he smote the five Kings, and hanged them on five trees, and they were hanging upon the trees untill the Evening, and at the time of the going down of the Sun, Joshua commanded, and they took them down off the trees, and cast them into the Cave wherein they had been hid, &c. compared with Job. 19. 31, 38. Mat. 27. 57. 58. Mar. 15. 42, 43. The Jews therefore because it was the preparation, that the bodies should not remain upon the Crosse the Sabbath day (for that Sabbath day was an high day) besought Pilate, that their legs might be broken, and that they might be taken away. And when the <sup>i</sup> Even was come (that is the Evening of the Day about Sunne-setting, or Evening tide: ) Joseph of Arimathea went to Pilate and begged the body of Jesus; then Pilate commanded the body to be given him. And he took it down and wrapped it in linnen, and laid it in his own tomb. Which Texts (paralell'd with Ephes. 4. 26. Let not the Sun go down upon your wrath: ) do fully evidence, that the day in divine resolution begins and ends at Even; because the bodies of Malefactors, which were to be buried the same day, and might not remain on the tree all night, were then taken down and interred.

i See Josh 8.  
29.

Proof 3.

Seventhly, That speech of David to Jonathan; 1 Sam. 20. 5. Let me go that I may hide my self in the fields unto the third day at Evening: annexed to that of 1 Sam. 30. 17. And David smote them from the twilight, even to the Evening of the next day; is a direct proof, that the Scripture begins the day at Even, making it part of the subsequent, not of the

the precedent day, as these phrases, *unto the third day at evening, and to the evening of the next day*, import.

Eightly and lastly, It is clear by the joynt confession *Proof. 8* of all sorts of Authors, of all Commentators on the fore-quoted and the ensuing Texts, that the Penmen of the Scriptures (who were guided by the Holy Ghost, with the whole Jewish Church, Nation, directed by the same Spirit, and the Scripture computation) did ever begin and end their daies at evening, not at morning, or midnight, as the Jews<sup>k</sup> yet doe. A truth so evident that our Opposites in this point of the Lords day's inchoation, for the most part grant *in Anastatius* it, without any contradiction; having nought else to plead *Sinica. Quast. lib. quest. 152.* for themselves but this, that Christs resurrection in the morning did translate the begining of days, from evening to the morning. Therefore it is undoubtedly true, that all dayes in scripture and divine resolution, begin and end at Evening: So that this first Conclusion is uncontrollable.

For the second, That the seventh day Sabbath, in Scripture Conclusion. 2 account, did ever begin and end at Evening; and that the Jews did constantly solemnize it from Evening to evening: it is most apparent.

For first, All dayes in Scripture and Jewish computa- *Proof. 1* tion commenced and concluded at Evening, as the former Conclusion manifests; therefore the seventh day Sabbath too.

Secondly, the Scripture peremptorily commands this *Proof. 2* beginning and close of the Sabbath. *Levit. 23. 32. From EVEN to EVEN, ye shal celebrate your Sabbath:* which though it be specially meant of the Sabbath of Attonement, yet it is true of the seventh day sabbath too, it being the original pattern, by which the Sabbath of attonement was squared, and thus bounded out.

Thirdly, It is apparent by *Nehem. 13. 19. And it came to Proof. 3* passe, that when the gates of Jerusalem began to be dark, before the sabbath (that is, when the twilight began) I commanded that the Gates should be shut, and charged that they should not be open till after the Sabbath: and some of my servants set I at the gates, that there should no burden be brought in on the sabbath day. By which

which it is evident that the seventh day (Sabbath began at Evening, not at morning, or midnight. For why should Nehemiah command the gates of Jerusalem to be shut just as it began to be dark, a little before the <sup>1</sup> Evening star began to appear (when the Evening & Sabbath actually begin) but to prevent Carriers and others who brought burdens into Jerusalem, from prophaning the Sabbath, which would have begun before they could have passed to their Inner, and unladed their burdens, had they admitted them to have entred the gates so late; the Sabbath being to begin almost presently after when the day light ceased, and the starres began to appear: which had it not commenced till midnight or morning following, he would not have closed up the gates so early, since they might have unladed their Carriages a good space before the Sabbath, though they had not entred Jerusalem till the twilight ended. His timely shutting up of the gates therefore to prevent this breach of the Sabbath by unlading burdens, is a <sup>m</sup> pregnant evidence, that it began at Even, soon after, or just when the gates were barred.

Fourthly, it is clear by Luke 23. 54, 55, 56. compared with Luke 24. 1, 2. Mark 16. 1, 2. c. 15. 42, 43. John 19. 31, 38. cap. 20. 1. & c. Matth. 27. 57. 58. By all which it appears, that our Saviours body was taken down from the Crosse and laid in the Sepulchre upon our Friday at Evening a little before night, and that they took it down, and buried it then, that it might not remain on the Crosse upon the Sabbath day: to which Saint Luke addes this as a Corollary; <sup>n</sup> And that day was the Preparation, and the Sabbath drew on, and the women also which came with him from Galilee followed after, and beheld the Sepulchre, and how his body was laid: & they returned, and prepared Spices and ointments, and rested the Sabbath day according to the Commandement. And when the Sabbath was past (writes <sup>o</sup> St Mark) Mary Magdalene, and Mary the mother of James and Salome had bought sweet spices, that they might come and anoint him: And very early in the morning, the first day of the week, they came unto the sepulchre, at the rising of the Sunne, as it began to dawn (saith <sup>p</sup> Saint Matthew) while

1 See Neh. 4. 21

m See Neh. 13.  
21. which  
makes it mani-  
fifest.

Proof 4.

n Luke 23. 54.  
55, 56.

o Mark 16. 1, 2.

p Mat. 9. 1.

whiles it was yet dark, (writes *q* Saint John) and they found *q* John 20. 1. the stone rolled away from the Sepulchre: By all which it appears, That the Sabbath begun and concluded at Evening.

For first, Saint Luke saith, the Sabbath drew on; when Christ was taken down from the Crosse about the Evening, implying that it was then almost ready to begin.

Secondly, they took him down then, because he should not hang upon the Crosse any part of the Sabbath.

Thirdly, the women shortly after their return from his buriall began their Sabbath dayes rest.

Fourthly, The Sabbath was past, the first day begun, and our Saviour risen, before the women came to his Sepulchre: yet they came thither at day-dawning; whiles it was dark; and their apparelling themselves, their buying of spices, and coming from their houses or lodgings to the Sepulchre (all after the Sabbath was fully ended) would take them up some hours time perchance, or more. It is apparent therefore by all these particulars, that the Sabbath even in the Evangelists account, both at and after our Saviours Passion and Resurrection, commenced and ended at Evening: So that Saint *Matthew*; In the end of the Sabbath, it began to dawn towards the first day of the week. (which some object to the contrary, as if the Sabbath then ended not till the morning) must be interpreted by Saint *Mark*; *Mark* 16. 1. after the Sabbath was ended; and the other *Evangelists*; *Luke* 24. 1. On the first day of the week (that being the true sense and scope of his words;) else Christ, in his account did rise again upon the seventh-day Sabbath, not on the first day of the week: and so by consequence, upon the second, not the third day after his Passion; which is directly contrary to all the other Evangelists, and Scriptures, to the Article of our Creed, and to Christs own predictions of his rising again the third day, recorded thrice by Saint Matthew himself, *Mat.* 12. 40. c. 16. 21. c. 27. 63, 64. which he would never contradict in the history of his resurrection.

Fifthly it is certain by the constant practise of the Jewish Church, who both before and since Christs resurrection to this present day) did ever begin and end their Sabbath at Evening.



u See Chem- Evening. Witnesse Josephus that famous Jewish Historian, nus Examen Contra Apionem l. 1. c. 833. Hierom comment. in Jonam. c. 2. Concilii Tri- Tom. 5. p. 137. Eusebius de Preparat. Evangel. l. 8. c. 2. Tom. 1. dentini, pars 4. p. 141. S. Augustine de Tempore Serm. 231. Chrysostome, De Festis p. 150. Homil. 4. in Genes. Tom. 1. Col. 26. B. Hom. 61. in Matth. Tom. walphtus Chro- 2. Col. 559. B. Anastatius Sinaita, Anagogicarum Contempla- nol. l. 2. c. 1. tionum. Henam. l. 2. & Questio, 152. 153. Bibl. Patrum. Tom. Dr. Bound of 6. pars, 1. p. 634. E. 794. 795. Hospinian de Origine Festorum, the Sabbath. fol. 3. 1. 72. b. 68, 69. 161, 162. Marlorat in Matth. 28. v. 1. Edit. a. 1606. Joseph Scaliger, de Emendatione temporis, l. 92. & 6. p. 119. p. 103, 104. 532, 533. Godwin his Jewish Antiquities, t. 3. c. c. 3. p. 131. Dr. Boyes his Possib. on the Decalogue, p. 51. Purchas Sinjworth, his Annotations on Genesis 1. v. 5. Levit. 22. 32. Pilgrimage l. 3. together with most ancient and modern Commentators v. 4. p. 131. A- upon Gen. 1. 5. 9. 13. Levit. 23. 32. Exod. 12. 18. Matth. 12. 40. meus Medul- c. 16. 21. c. 28. 1. Mark 16. 1, 2, 9. Luke 23. 54, 55, 56. c. 24. la Theologica, h. Joh. 20. 1. 11. 13. 14. 15. 16. 17. 18. 19. 20. 1. Cor. 15. 5. with those Authours l. 3. c. 13. c. 13. 36. Dr. Wemes, quoted in my Histriomastix. p. 643, 644. and others in the in his ex. margin: who all subscribe with one consent, that the position of the seventh day Sabbath, (and all other dayes else) in the Scripture Lawes of Mo- and Jewish account, did ever begin and determine at Evening. ses l. 1. p. 226. 12. This second Conclusion therefore, is past all question. 207 when the day beginneth. For the third; That the same first day of the week, on Conclusion 3. which our Saviour rose again; began at Evening in divine compu- tation: it is most certain.

Proof. 1. Because all dayes in Scripture account did then be- gin, as the Premises evidence: Therefore this day too.

Proof. 2. Secondly, because that seventh day Sabbath, on which our Saviour rested in his grave, began and ended at Evening: as is clear by Matthew 28. 1. compared with Levit. 23. 32. and other fore quoted Scriptures: by the joynt attestati- on of all divines and Expositors on these Scriptures: and by the second Conclusion: Therefore it must necessarily begin at Evening, when this Sabbath ended: else the Even- ing may and night between the end of the Sabbath, and our Saviours resurrection should be part of no day at all (like that of Job, Job 3. 3, 6. being no parcell of the Sabbath; nor yet of that first day of the week on which Christ arose) which can not be.

Thirdly,

Thirdly, All the Evangelists with one consent record, **Proof 3.** that our Saviour rose again upon the first day of the week, very early in the morning, while it was dark, before the women came to his sepulchre, and after the Sabbath was past. Mark 16. 1, 2, 9. Matth. 28. 1, 2. Luke 23. 56 & 24. 1, 2. John 20. 1, 2. the chief reason alledged by all (especially by our opposites in this Controversie) why Christians solemnize this day as their Sabbath. If then he arose upon the first day, the day was certainly begun some space before his resurrection; else he must rise with it, or before it, not upon it. Neither did or could this day begin at Morning, day-dawning, or Sun-rising in divine compute, because our Savior was risen, and the women were come to the grave before that time, as these Texts affirm; and yet then the Sabbath was past; and this first day begun; which could not be if the day commenced not before the morning; (beginning but at break of day, or Sun-rising;) neither did it begin at midnight; because the Scripture, Jews, and Ecclesiastical Writers know no such natural or divine inscription of the day; therefore questionlesse it began at Evening, as the generality of Expositors on these Texts acknowledge, it being the true time of the dayes Inchoation in divine account.

Fourthly, Mat. 12. 4 & 16. 21 & 27. 63. Mark 8. 31 & 14. 28. Luke 12. 32. Hosea 6. 2. Acts 10. 40. 1 Cor. 15. 4. and all our Creeds assure us, that our Saviour rose again the third day from his Passion: which he predicting to his Disciples, with this expression, Matth. 27. 63. and Mark 8. 31. After three dayes (that is, after the beginning of three dayes, or of the third day from my Passion, not after three dayes ended, for then he had risen again upon the fourth day, not the third) *I will rise again*: which Phrase (being all one in sense with, *upon the third day I will rise again*, as appears by Matth. 16. 21.) implies that a good part of the third day on which he arose, should be past before his rising, which could not be, had the day begun just at morning or midnight, not at Evening; he being risen very early, while it was dark, John 20. 1, 2. The question

then for the clearing of this Article of Christs resurrection upon the third day, will be onely this; What is meant here by three days? How these days are and ought to be computed? and from what time they did begin? To which all 7 ancient & modern divines, who have commented on the Evangelists, or written of Christs resurrection, reply with one accord.

1. That by three days in these Scriptures is meant, not three intire dayes, (for Christ lay not three whole dayes in his grave) but one whole day and a part of two other dayes,) but part to wit part of the sixth day whereon he was crucified; the whole Sabbath day following it, and the Evening or night which was part of the first day whereon he arose.

2. That these dayes must be thus computed, and did thus begin and end. The first of them being our good Friday) began at Evening and ended at Evening, shortly after our Saviour was taken down from his Crosse and intombed. The second of them (being the 7<sup>th</sup> day Sabbath) began and ended at Evening; all which day Christ rested, and kept a Sabbath in his grave. The third day (the Jewes first day, & our Earsday) began at Even, when the Sabbath concluded, and ended the Evening following, a little after our Saviours appearance to his Disciples, John 20. 19. By which calculation, our Saviour lay part of the first, the whole second, and a good part of the third day in his grave, (to wit, the Evening and greatest part of the night) and so well nigh half the third day, was past before his Resurrection; so that he might well be said to rise again the third day; and by a Synecdoche Membris, to lie three dayes in his grave, and 2 after three dayes, (that is, after the beginning of three dayes, the latter part of the third day being included, and the forepart onely excluded in this Phrase of speech) so rise again: which he could not be properly said to do, had this third day, begun at morning, he being risen again when it was dark

See Ignatius, Martyr Epist. 5. ad Trallianos. Bibl. Patr. Tom. 1. p. 79. b. Theophilus Antiochenus Comment. l. 2. in Evangelia 16. Tom. 2. p. 152. C. Hierome, Ambrose, Chrysostome, Bede, Anselm, Theophilus, Christianus Grammaticus, Paschasius, Rabbertus; in their Commentaries, on these Texts, and on Mat. 28. 1. Mark 16. 1. 2. Luke 24. 1. Calvin, Luther, Musculus, Bullinger, Melancthon, Bucer, Marlorate, Junius, Zanchius, Beza, Lyra, Rabanus, Maurus, Hugo Cardinalis, Cathusian, Tostatus, Iansenius, Cornelius a Lapide, and others on this Text, Gregory Nyssen, Oratio 1. & 2. de Resurrectione Christi, Cassianus de Incarnatione Domini. l. 5. Bibl. Patr. Tom. 5. pars 2. p. 8. f. 6. Hierome Commentarius in Psalm. 116. Tom. 3. p. 237. b. Augustine, quæst. super Evangelia, quæst. 6. 7. Anastasius Sinaita. Quæstionum L. 4. c. 192, 193. Bibl. Patr. Tom. 5. pars 2. p. 794. 795. Together with Saint Cyprian de Symbolo, Dr. Iackson, Mr. Byfield, and all Expositors on the Creed, who jointly accord in this truth. 2. Mark 8. 31, Mat. 27. 63.

John 20.1. Matth. 28. 1, 2. and so upon the second day, before nor on or after the third day, in this strange account, which no Divine in this particular of Christs resurrection ever followed; all of them joyntly resolving, that the third day on which our Saviour arose, and the two preceding dayes, according to divine computation, began and ended at Evening. Wherefore this third Conclusion, even by the unanimous consent of all men, is indubitable, and quite overturns our Antagonists foundation for the Lords dayes Inception in the morning, to wit, that Christs Resurrection in the morning, did translate the beginning of this first day, from Evening to morning; which is but a grosse mistake, directly contrary to all the recited Scriptures, the resolution of all judicious Divines, and writers in all ages, as I shall anon more fully manifest in its proper place.

For the fourth, That this beginning and concluding of dayes *Conclusion 4.*  
at Evening is immutable (I mean in divine respects, not of civil;) it is most clear for these ensuing reasons.

First, Because it is that bound which God himself (the *Proof 1.*  
Lord of times, and Ancient of dayes) hath prescribed them, as Dan. 2. 28. 31.  
both by his word, his works, and own divine calculation, Eccl. 7. 9. 13. Ps. 74.  
as the three foregoing Conclusions evidence: and what *16. Acts 1. 7.*  
God himself hath thus limiked and prefixed, cannot be altered but by himself alone (who never changed this beginning or period of dayes for ought appears in Scripture) Eccles  
3. 14. Jer. 31. 35, 36. c. 33. 20, 21.

Secondly, because it is that termination of days w<sup>ch</sup> God *Proof 2.*  
himself instituted at the very Creation, when as he prefixed such limits to days & times, as were to continue in all succeeding ages, till time should be no more, witness Gen. 1. 2, 3, 5, 8, 13, 20, 23. 3. 1. where God made darknesse to precede the light, the Evening antecedent to the Morning, and to begin the day; the Evening and the Morning, (not the Morning, and the Evening, I mean in point of priority) making the first seven days, and so by consequence all succeeding dayes; the dayes and weeks being now the same, and of the same dimension, as they were at the Creation; and therefore retain the

same beginning and end now, as God designed to them then; and that by a natural, unchangeable Ordinance. For God at the Creation ordained the Sunne, the Moon, and Starres, to rule over the day and night; to divide the light from the darkness; (that is, to bound out the day and night) to be for signs and for seasons, and for dayes and years: Gen. 1. 14. to 19. Psal. 136. 6, 7, 8. Psal. 104. 19. And that so long as the world should endure, or the Sun and Moon have a being, witness Gen. 8. 22. While the earth remaineth, seed time, and harvest, and cold and heat, and Summer and Winter, and day and night shall not cease: that is, they shall observe the bounds and times that I have prescribed them at the Creation, without any alteration. Jer. 31. 35, 36. and E. 33. 20, 21. makes this most clear. Thus saith the Lord, which giveth the Sun for a light by day, and the Ordinances of the Moon and of the Starres, for a light by night: if these Ordinances depart from before me, or if you can break my Covenant of the day and of the night, that there shall not be day and night in their season (that is, at the time which I appointed at the Creation) Then also will my Covenant be broken with David my servant: Which Texts do fully evince the beginning, end of dayes, and limits of time instituted at the Creation, to be unalterable so long as the world remains: which is likewise backed by Psal. 74. 16, 17. Psal. 72. 5, 7. Psal. 104. 19. Psal. 121. 6. Psal. 136. 9, and 148. 3, 5, 6. The day is thine, the night also is thine, thou hast prepared the light and the Sunne, thou hast made Summer and Winter. He appointeth the Moon for seasons, the Sun knoweth his going down: Thou makest darknesse, and it is night. Praise him Sun and Moon, praise him all ye starres of light, for he commanded and they were created, he hath also established them for ever and ever, he hath made a Decree which shall not passe. From all which Scriptures it is infallible, that God at the Creation fixed immutable limits to dayes and times, both for their beginning, end, length, which shall and must continue the same for ever; (the dayes, weeks, months and years, being of the same extent for the present, as they were at the beginning) Therefore the Inception and ending of the day at Evening, being settled at the Creation, doth and must remain unalterable.

Third-

Thirdly, This inchoation and conclusion of the day *Proof 3.*  
 at Evening, is ratified by the fourth Commandment, a mo-  
 rall and perpetuall precept, founded on the very course  
 and Law of nature at the Creation, as most assert, *Gen. 2.*  
*2.2.3.* For this Commandment enjoining men, *To keep* <sup>b Exod. 20. 8.</sup>  
*holy the Sabbath day, to do no manner of work upon it, and to la-*  
*bour six dayes, and do all their work :* For in six dayes the Lord  
 made heaven and earth, the Sea and all that in them is, and rest-  
 ed the seventh day, wherefore the Lord blessed the Sabbath day,  
 and hallowed it: doth herein apparently confirm for ever,  
 the beginning, end, and limits both of dayes and weeks,  
 as they were settled at the Creation. For this precept ha-  
 ving a retrospect to Gods six dayes work, and his seventh  
 dayes rest, when he created the world; and enjoining  
 men to work six dayes, to rest the seventh day, and keep it holy,  
 as God did then; doth apparantly intimate, that these  
 foresaid seven dayes, were as so many royall Standards  
 of time, by which all subsequent dayes and weeks must  
 be measured: which must begin, end, and have the same di-  
 mensions, with that originall week, and those first seven  
 dayes. Wherefore since they began and ended at Evening  
 then, as I have proved: all other dayes likewise must do  
 so, by vertue of this command. The rather, because it  
 prescribes men, to finish all their work in six dayes, and then to be-  
 gin their rest, when their work ends, as God did his: but their  
 six dayes work usually ends at Evening, therefore their six dayes  
 also should then determine, and their Sabbath or seven  
 dayes rest begin; and so by consequence all the six dayes,  
 the Sabbath day, and so all dayes (for ever) should com-  
 mence and end at Evening, so long as this commande-  
 ment is in being, or dayes and weeks shall last.

*Psal. 104. 22,*  
*23. Neh. 21. 4.*  
*cap. 13. 19.*

Fourthly, The beginning of dayes must needs be im- *Proof 4.*  
 mutable, because the alteration of it from Evening to  
 morning, or midnight (which thwarts the Scripture  
 computation) would falsifie, corrupt many Passages and  
 Texts of Scripture; call into question the truth of our  
 Saviours Resurrection on the third day; and somewhat  
 alter the Scripture Chronology, which is most exact and pun-  
 ctuall



shall; neither of which are sufferable by God or Christians.

*Proof 5.*

Lastly, this beginning and close of dayes, hath an influence into Gods worship: who as he hath prescribed men, *how*; so likewise, *when* to worship him: to wit, especially on the Sabbath, which he hath appropriated to himself; calling it, his own Sabbath, and holy day, *Exod.* 16. 23, 25. *Levit.* 23. 3. *Deut.* 5. 14. *Neb.* 5. 14. *Isa.* 58. 13. *Exod.* 20. 10, c. 31. 16. The sanctification therefore of the Sabbath being a part of Gods worship, and the Sabbath his own peculiar day; \* which most hold, Christ and his apostles, and the Primitive Christians by Gods warrant translated to the Lords day) that beginning and limits of it, which God hath fixed, must not be changed but by God; because it would alter both Gods day and worship too. To prevent which inconvenience, God hath given not onely generall commands to sanctifie this day, but likewise a speciall precept to begin and end it at Even, *Levit.* 23. 32. *From Even to Even you shall celebrate your Sabbath*: there being no such particular precept given for the limits of other dayes, (which are bounded out in more generall termes) it being both dangerous and absurd, to leave the inceptiion, or bounds of the Sabbath arbitrary unto men, to begin and end it when they please; the day being Gods not theirs; the sanctification thereof, a speciall part of his service, which men have no power to alter or diminish: and whatsoever in Gods service is not of faith (warranted or prescribed by his word) being sinne and will-worship, *Rom.* 14. 23. *Cal.* 2. 18. 20, 21, 22, 23. From all which I may safely affirm; that this beginning and ending of dayes at Even (especially of the Sabbath day) is immutable, and so my fourth Conclusion undeniable.

*Conclusion 5.*

For the fifth; That Christs Resurrection in the morning did no wayes alter the beginning or end of dayes, nor yet translate the inceptiion of that day whereon he arose, *From Evening to morning*: it is unquestionable.

*Proof 1.*

First, Because this commencement and conclusion of dayes at Evening, is immutable; as I have manifested in the

\* See Mr. Fox, Dr. Fuller and others on Rev. 1. 10. M. Sprinck Mr. Bownd, Mr. Widly, Dr. Bernard, Dr. Twisse, Mr. Cawdry and others of the Sabbath.

In the fourth Conclusion, therefore not altered by Christs Resurrection.

Secondly, because Christs Passion and Resurrection *abolished or changed nothing*, but that which was *typicall and ceremoniall*: witnesse Gal. 4. 9, 10, 11. Col. 2. 14. to 22. Acts 15. 24, 28, 29. Heb. 9. 10, 11. c. 10. 1. 2, 9. with the unanimous suffrage of all Divines. But the beginning and end of dayes at *Evening*, was no wayes *typicall or ceremoniall*, but rather *naturall and morall*, being instituted at the Creation, ratified by the fourth Commandement, and immutably fixed for ever, as the premises testifie. Therefore it was not abolished, or translated by Christs Resurrection or Passion from Evening to morning.

Thirdly, Christ abrogated or changed nothing, but what was necessary to be abolished or altered upon warrantable reasons and substantiall grounds: See Heb. 8. 6, 7, 8. c. 9. 9. to 16. c. 10. 1. to, 11. Col. 2. 16, 17, 22, 23. Ephes. 2. 15. Gal. 5. 1. to 7. Acts 15. 10. 28. But there was no necessity, reason, cause, or ground at all, of altering this beginning and end of dayes at *Evening*: therefore Christs Resurrection did not alter or abolish it.

Fourthly, the alteration, limitation, of times, *dayes*, and *seasons*, is a Peculiar Prerogative of God the Father, reserved in his own power, not in Christs, as is manifest by Acts 1. 7. Matth. 24. 36. Mark 13. 32. Levit. 23. 2. &c. Psal. 118. 23, 24. Exod. 13. 2, 3, 6, 14. Exod. 20. 1, 8, 10, 11. compared with Daniel 2. 20, 21. Psal. 74. 16, 17. Jer. 33. 20. c. 31. 35. Psal. 136. 1. 7, 8, 9. upon which *Priviledge Royall* none anciently durst encroach, but that *presumptuous Horn*, typifying the Papacy. Dan. 7. 25. Christ therefore by his bare Resurrection made no such alteration of the dayes inchoation, having no speciall Commission from his Father so to do.

Fifthly, there is not one word or fillable in all the Scripture, which either affirms or intimates, that Christs Resurrection made any mutation of the beginning or end of dayes, neither can any man produce one substantiall reason, grounded on Scripture, why Christs resurrection should cause such a change as this: or why his resurrection

urrection should do it, rather than his Nativity, Passion, or Ascension. Therefore I may safely conclude, that it made no such change untill the contrary can be proved.

*Proof 6.*

Sixthly, the Scripture is expresse, that Christs Resurrection did no wayes change either the order, name, or nature of that day whereon he arose. For all the Evangelists speaking of it as Christs Resurrection day in their Histories of the Resurrection (penned some space after it) ever stile it, *The first day of the week*, *Matb. 28. 1. Mark 16. 29. Luke 24. 1. John 20. 1. 19.* the very name *that was given it at the Creation, Gen. 1. 5.* which was still retained after our Saviours Resurrection and Ascension: *Acts 20. 7. 1 Cor. 16. 2.* having no other title at all imposed on it but this in Scripture: (that of *Revel. 1. 10.* to wit, the title of *Lords-day*, being applied by some to the *seventh day Sabbath*, by others, to *Easter day* only; yet by \* most to the *Lords-day*) for ought that certainly appears. Which name implies, that it continued the same after Christs Resurrection, as before; the *First day of the Week*, for number, order; beginning the week as afore; and so by consequence commencing at Evening as before; it being the same in name, in order, in nature (though not in use and observation amongst Christians) as it was at the Creation: Therefore the same in its inception too, and so not altered from Evening to morning.

*Proof 7.*

Seventhly that very first day on which Christ arose in Scripture and divine account began and ended at Evening (not at morning or midnight) as I have undeniably proved at large in the third Conclusion: Christs Resurrection therefore, did no wayes alter or translate the beginning of it from morning to Evening, as some falsely affirm, but never prove: And if it made no such mutation of the beginning and end of that same *First day* on which he arose; much lesse then of any other that succeeded it, or of the other week dayes on which he did not rise again. Christs Resurrection did not actually translate the beginning of that first day on which he rose again from Evening to Morning: For had that day begun

*2<sup>d</sup> Psal 119. 14.*  
\* See Mr. Fox,  
Dr. Fulk and  
others on *Apo-*  
*1. 10 D. Bownd*  
and others of  
the Sabbath.

gun at Morning, just at or from the time which he arose (as some pretend) then he had not risen again upon the third, but on the second day from his Passion; which directly oppugnes the *Scripture*, and the Article of our *Creed*, that he rose again the third day from the dead, not the second. *Acts 10. 40.*  
 To make this reason evident. The Morning of this first day began not till day-breaking, or day-light: and if this first day began then too, Christ certainly did not, could not rise upon it, but before it, and so on the second day: For the women came to the Sepulchre when it was yet dark (before day-light appeared, or the *first* day began in this account) and yet Christ was then risen: *John 20. 1, 2.* therefore *Saint Luke* before the day began in this computation. And if they *saith it was in the very profoundity or beginning of the morning, Luke 24. 1.* will begin it from the time that Christ arose, since Christ's resurrection was the cause (as they sayd) of this its new inception, or the *Terminus à quo*, from whence it began; they still stick fast in the same mire. For if Christ's Resurrection changed the commencement of this day, he must be actually risen ere this change could be made, since the cause must necessarily precede the effect; which must begin from and after it, not before, or with it; and if the moment of Christ's Resurrection was the *Terminus* whence this day began (as they affirm;) his Resurrection must needs precede the day, that point of time, from whence the day begins being *exclusive*, as precedent to it, not *inclusive*, as any part or parcell of it: and so Christ must necessarily rise, before this first day (to wit, upon the Sabbath or second day) not upon or *after it began*; and so, not upon the *third*, or *first day* of the week, as the *Scripture* affirms: and by consequence not upon that Lords-day which they solemnize, from morning to morning, in memory of his Resurrection on it; which by their own reasoning and computation was before it, not upon it. *Mat. 27. 63. Mat. 28. 31.*  
 All which considered, I may undoubtedly conclude, that Christ's Resurrection did no wayes alter the beginning or end of dayes, (no not of that first day on which he arose) from morning to Evening: So that this last Conclusion is infallible.

Arguments to  
prove that the  
Lords day be-  
gins at Eve-  
ning.

Argument 1.

These five Conclusions being thus premised, and I hope undeniably proved; I shall now deduce five unanswerable Arguments from them to prove, that the Lords-day, doth and ought of right to begin and end at Evening; not as morning or midnight.

1. If all dayes in Scripture and divine account do alwayes begin and end at Evening (not at morning or midnight) then the Lords-day (being the first day of the week, and included in the universality of dayes) must do so too: But all dayes in Scripture and divine computation, do alwayes begin and end at Evening, (not morning or midnight) as the first Conclusion manifests. Therefore the Lords-day doth so too.

Argument 2.

2. If the seventh day Sabbath in Scripture account did alway commence and determine at Evening, and the Jews did ever solemnise it from Evening to Evening; then the Lords-day (which succeeds it, and begins when the Sabbath ends) must then begin and conclude; seeing all the week-dayes are of the self-same length, and must have the same inception and Conclusion: & since this Sabbath was thus solemnized long after our Saviours Resurrection by the Apostles, Jews, and Christians too. *Matth. 24. 20. Acts 13, 14, 27. 42. C. 14. 1. C. 15. 20, 21 C. 17. 1, 2, 10. C. 18. 4.* But the seventh day Sabbath in Scripture calculation did alwayes commence and determine at Evening, and the Jews did ever solemnize it from Evening to Evening; as the second Conclusion testifies: Therefore the Lords day must then begin and conclude.

See Mr.

George Widly  
his Doctrine of  
the Sabbath,  
and others  
forecited.

Argument 3.

3. If that very first day of the week whereon our Saviour rose again, began and ended at Evening in divine account, even as it was his Resurrection day: then the Lords day (kept in memory of his Resurrection on that day) being the selfsame day of the week, and having the self same limits as that day had; must then begin and end likewise. But that very first day of the week, whereon our Saviour rose again began and ended at Evening in divine compute, even as it was his Resurrection day: Therefore the Lords day in respect of its weekly observation and solemnization in memory of our Saviours Resurrection

Resurrection on it, must commence and determine at Evening too. The sequel is undeniable; the minor is fully proved in the third Conclusion; so the Argument is unanswerable.

4. This beginning and determination of dayes at Evening be naturall and immutable, therefore the Lords day must have, can have, no other inception or conclusion, but at Evening. *Argument 4.*

5. If Christs Resurrection in the morning did no ways alter the beginning or end of dayes, nor yet translate the beginning of that day whereon he arose, from Evening to morning; then we ought to make no such alterations (for that were to be wiser than Christ, yea to usurp Gods speciall Prerogative, to alter times, *Dan. 2. 26, 21. c. 7. 25.*) & so must keep the Lords-day from Evening to Evening, not from morning to morning, or from midnight to midnight. But Christs Resurrection in the morning, did no wayes alter the beginning and end of dayes; nor yet translate the beginning of that day whereon he arose from Evening to Morning; Therefore the Lords-day ought to be kept from Evening to Evening, not from morning to morning, or midnight to midnight. What can be truly and substantially replied to these five Arguments, I cannot conjecture, they being of sufficient weight to oversway the ballance of this Controversie. *Argument 5.*

Now to clear this truth more fully, I shall to these five Arguments, accumulate ten reasons more, proving, that the Sabbath, and Lords day, ought to begin at Evening.

First, because this inception of the Sabbath and Lords day, is most suitable to the nature of these dayes. For the Sabbath being nothing else in proper speech, but a day of rest, and being oft times stiled in Scripture a Sabbath of rest, *Exod. 16. 23. c. 23. 12. c. 31. 15. c. 34. 21. c. 35. 2; Levi. 16. 31. c. 23. 3. 32. c. 15. c. 25. 21. c. 34. 21. Dent. 5. 14.* (both man and beast being enjoined to rest from their labours on this day:) it is most agreeable to reason, and the equality of the day, that this resting day should begin at Evening, when men



naturally and customarily begin their rest, and end their labours: rather than at morning, when they commonly begin their work; or at Midnight, when as they are in the midst of their rest and sleep. For when can a day of rest so aptly commence, as when men begin their rest? their resting on it from other labors, being one part of the solemnization of it? This therefore being the fittest time to begin the day; no doubt, but God (who doth all things wisely and in the <sup>\*</sup> aptest season) hath ordered that it should then commence, (as I have manifested in the foregoing Conclusions) it being most proportionable to the nature of the day.

<sup>\*</sup> Eccles 3. 1.  
 &c. Psal. 104.  
 23, 24.

### Reason 2.

<sup>i</sup> For his work that he finished on the seventh day, was onely his Creation, Blessing and Sanctification of that day alone; as Pasca-  
 catus Rabertus in Mat.  
 28. 1. Rabanus,  
 Maurus and o-  
 thers teach.

### Reason 3.

<sup>\*</sup> See 6. H 8.  
 c. 3. 7. H. 8. c. 5.  
 5 Eliz c 4.  
 Rastabl. Labo-  
 vers. 35. 38.  
 which appoint  
 Labourers to  
 begin their  
 work at morn-  
 ing, and end it  
 at Evening.

Secondly, this commencement is most agreeable to Gods own example, and to the fourth Commandement: for God began his seven dayes rest, <sup>i</sup> so soon as even he ceased from his six dayes works of Creation, Gen. 2. 1, 2, 3. Exod. 20. 9, 10. yea the fourth Commandement prescribing us to labour six dayes, and to do all our work, and to rest the seventh day; implies, that we should begin our Sabbath dayes rest, when as we finish our six dayes work: and that is at Evening, not at morning or midnight. Therefore we should then commence our sanctification of it, and rest upon it.

Thirdly, this beginning of the Sabbath and Lords-day, is every way best for men, as most consonant to the course of nature, and their common practise, for men naturally and customarily (and that by Gods own appointment, and the Scriptures approbation) end their week day labours at Evening, and begin their rest at <sup>\*</sup> night, witness Ps. 124. 22, 23. The Sun ariseth mangoeth forth unto his work, and to his labour untill the Evening, John 9. 4. I must work the works of him that sent me, while it is called to day, the night cometh when no man can work, Judg. 19. 16. Behold there came an old man from his work out of the field at Evening, Zeph. 2. 7. In the houses of Askelon they shall lie down in the Evening, 1 Thess. 5. 7. Those that sleep, sleep in the night, together with Gen. 19. 1, 2. Exod. 18. 14. Gen. 20. 11. Numb. 29. 19. Levit. 19. 13. Numb. 4. 21. Judg. 19. 4. 11. Eccles 2. 23. Num 22: 21. Judg. 9. 33. c. 20. 19. c. 21. 4. 21. c. 19. 8. Hos. 7. 6. Is. 5. 11. wher eas

as by a natural Instinct, and Gods command they usually begin their work in the morning, not their rest, as is evident by Eccles 11.6. In the morning sow thy seed, Mat. 20. 1,2,3. The Kingdome of heaven is like to a man that is an householder, which went out early in the morning to hire Labourers into his vineyard, and by Gen. 19. 15. c. 28. 24. 54. 44. 3. Exod. 20. 1. c. 18. 14. Judg. 20. 19. Ruth 3. 13, 14. Psal. 127. 2. 1 Chron. 23. 30. Mat. 27. 1. Psal. 104. 22. 23. Now the Sabbath being a day of rest from labour, and being likewise made for man, not man for it. Mark 2. 27. and men naturally and customarily in all Ages, all places, by Gods own ordination, determining their weekly labours, and beginning their rest at Evening; it is most fit, most proper, and convenient, in respect of men, and this their naturall use, that the Sabbath, and Lords day should begin at Evening; when as they voluntarily and naturally cease their secular labours, and devote themselves to rest. But most unsuitable and inconvenient to begin it in the morning, the time when work begins, or at midnight, when half their rest is past. Neither is this reason to be slighted; For all things being made <sup>1</sup> for man, and the Sabbath too, no doubt but <sup>1</sup> Mark 2. 27. God did accommodate and suit them in such manner, as <sup>Gen. 1. 18, 39.</sup> should be most commodious and convenient for men; and most <sup>1</sup> Cor. 3. 21, 22. consonant to the naturall course of their affairs. This Inchoation therefore of the Sabbath and Lords-day, being <sup>Heb. 2. 7, 8.</sup> most proportionable to the naturall order of mens working, and rest (and so the more easie and possible to be observed by them) is no doubt the truest, the properest <sup>Psal. 8. 4, 5.</sup> of all others; and therefore ought to be embraced. <sup>m See Eccles. 3. 1. to 12.</sup> <sup>1</sup> Cor. 14. 33, 40.

4. That the beginning of the Sabbath, and Lord-day *Reason 4.* which is easiest for Christians to observe, and doth best of all begin the sanctification of them; is questionlesse, the best, the truest: But this beginning them at Evening is such:

1. Because men then naturally end their worldly employments, and begin their rest, even of their own accord without constraint: and what so easie, as that which is naturally and voluntary?

2. Because all men that have any Religion or shew of Christianity,

Christianity in them, do then constantly fall to their private devotions and family duties, the Evening being a fit time for holy meditations, prayers, and religious exercises, Gen. 24. 63. 1 Chron. 16. 14. 2 Chron. 13. 11. Psal. 55. 47. Psal. 65. 8 Dan. 9. 21. Now what time so fit to begin the Sabbath and Lords-day (appropriated <sup>a</sup> wholly to Gods worship) as that whereon most Christians voluntarily and constantly apply themselves unto his immediate Service in their closets or in their familie devotions?

<sup>a</sup> Exod. 20. 8.  
to 13. Isa. 58. 13  
Deut. 5. 12. to  
16.

<sup>a</sup> Exod. 20.  
8. to 13. c. 31.  
13. 14. 15. c. 35.  
2. Levit. 23. 2.  
3. 4. Deut. 5. 12  
Isa. 58. 13.  
Neb. 9. 14.

<sup>a</sup> Acts 13. 6.  
Hosea 7. 6.

<sup>a</sup> As most af-  
firm they are,  
who differ from  
me in this con-  
troversie.

3. These dayes are *dayes of holynesse, and being such,* ought alwayes to *begin and end with holy duties.* Every Christian will grant it fitting and convenient, if not necessary, that the Lords-day should be begun and ended with private, and continued with holy, publick exercises, suitable to the day. Which being so, if it should begin and end at Midnight, what Christians usually do, or can conveniently begin & end it thus? they being then at rest, yea *\* fast asleep in their beds,* & that by the course of nature, and Gods own appointment, without any sinne at all, 1 Thes. 5. 7. Mat. 25. 5, 6. c. 26. 45. And for men to be tied to rise up at midnight, or to sit up til then, to begin then the Lords-day, with holy duties, what an inconvenience & burthen would it be? Again if it should begin and determine at morning, so soon as day-light begins; how many Christians are then up through the whole year on Lords-day mornings, and the mornings following, to commence and conclude it with holy duties? yea what a vexation, and trouble would it be (especially to aged and sickly persons) to rise every Lords day, and Monday at day-dawning, or some space before, to begin and close it with meditations, prayers, praises, devotions? Certainly if the Lords-day should commence and end either at morning or midnight, and Christians were tied in *\* point of conscience,* to begin and conclude it with holy exercises, most men would grow weary of observing it, and cast off the sanctification of it as an intollerable burthen. But now if we begin and end it at Evening (when every man is up, and ends his labours, and goes unto his private devotions,

devotions and familiar duties of his \* own accord, and then enjoy this rest as on other Evenings) how easily and conveniently without any toyl or inconvenience may all sorts of men begin and conclude it in an holy manner, without any disturbance of their natural sleep, or endangering their health? and how sweetly, how comfortably may they embrace the Inception, and take their farewell of the conclusion of it? with what delight, pleasure, ease & convenience, may they sanctifie it: This beginning and ending therefore of the Sabbath and Lords-day, being the callist of all others, the best for all Christians to take hold of without any pain or inconvenience; the best for the true, & pious commencement and conclusion of these dayes with holiness and devotion, is undoubtedly that which God himself hath instituted, and all Christians must retain; this being one main cause why God commanded the Jews to sanctifie their Sabbath, and keep their Festivalls from Evening to Evening; Lev. 23. 32. Exod. 12. 18. because the Evening in all the forenamed respects, was most convenient and proper, to begin and end all sacred dayes.

5. The Lords-day (as all of the contrary opinion acknowledge) is substituted in the place of the seventh day Sabbath, in memoriall of our Saviours resurrection upon it: But that Sabbath (as the premises evidence) began and concluded at Evening: therefore the Lords-day should do so too, it being but the ancient weekly Sabbath translated to another day; and there being no precept nor precedent in Scripture, to begin the Sabbath or Lords-day at morning or midnight; but both Precepts and examples to commence and end it at Evening, as the foregoing Conclusions prove. The rather because it is confessed by all my Opposites in opinion; That the Lords-day succeedeth the seventh day Sabbath, & is to be weekly, wholly & intirely consecrated to Gods publick and private worship; and that by the very Equity and Morality of the fourth Commandement. Which is the received opinion not onely of most of our own Writers, who have written of the Sabbath or Lords-day, and commented on the fourth Commandement by learned Henry Bullinger, Decad. 2. c. 4. Joannes Pappus enar. in

Isaiah c. 58. and very many of the Learnedest Protestant Writers in forreign parts, quoted by learned *Wallæus* in his *Disputatio de Sabbato*, to which I refer the Reader for fuller satisfaction; But likewise of the learnedest popish Schoolmen, Commentators, and writers of all sorts; as namely of Peter Lombard lib. 3. *sententiarum*: *Distinctio* 37. *Richardus de media Villa*, *Joannes Scotus*, *Henricus de Verum-Maria*, *Christophorus*, *Silvestrianus*, *Gulielmus Estius* and others in lib. 3. *Sententiarum*. *Distinctio* 37. *Dionysius Carthusianus*, in lib. 3. *sententiarum*. *Distinctio* 37. & in *Exod. Enarratio* c. 20. where he thus writes. *Memento ut diem Sabbati sanctifices*, id est, in sanctis operibus diem illum expendas, & divino cultui applicas eum: Per quod & nunc DIEI DOMINICI JOBETUR CELLEBRITAS. *Bonaventura* in lib. 3. *sententiarum*. *Distinctio* 37. *Sermones de decem Præceptis*. *Sermon* 4. operum, Tom. 7. p. 8. & *speculum Animæ* c. 2. *ibid.* p. 35. where he determines thus. Per hæc autem in Lege NOSTRA DOMINICA intelligitur: *Observatio* siquidem DIEI DOMINICI EST DE JURE DIVINO, scilicet PRÆCEPTUM DIVINUM, ut habetur in *Exodo*: *Memento ut Diem Sabbati sanctifices*, &c. *sancti Raymundi Lumina*. lib. 1. *Tit. de Feriis ac Festis*. p. 110. 111. acutè *Thomas Aquinas* in lib. 3. *sententiarum*. *Distinctio* 37. *Artic.* 5. & 2. *Quæst.* 122. *Artic.* 4. with all his followers on these places. *Hugo Cardinalis* *Comment* in *Exod.* 20. *Tostatus Abulensis* in *Exod.* 20. qu. 11, 12, 13. (an excellent pregnant Discourse to this purpose) and in 1. *Regum* Tom. 1. p. 128. *Joannes Gerson Compendium Theologiae* in 3. *Præceptum Operum* Tom. 2. p. 56. *Astensis summa* lib. 1. *Tit.* 22. *De observantia Sabbati*, *Angelus de Clavatio*, *summa Angelica*. *Tit. Præceptum* sect. 2, 3, 7. *Bernardinus senensis*. *Sermo* 10. de *Observantia Sabbati*, (an excellent, full, pious Discourse) *Paulus de sancta Maria*, *scrutinium Scripturarum*, pars 1. *Distinctio* 8. c. 14. *Antonius Cadubiensis Quæstionarii* lib. 1. qu. 5. *Jacobus de Valentia adversus Judeos*. qu. 2. *Soto*, de *justitia* & *jure*, lib. 2. qu. 3. *Art.* 5. qu. 4. *Dominicus Bannes* 2<sup>a</sup> *secundæ* qu. 44. *Artic.* 1. *Didacus stella*. *Comment* in *Luc.* c. 14. *Conarruinas*, *Resolutionum* lib. 4. c. 19. *Conclus.* 4. & 5. *Joannis Nyder*, as also *Michael Marspurgiensis* in 3. *Præceptum*. *Enchiridion Christianæ institutionis*, set forth by the whole Council of Colen, An. 1536. in 3. *Præceptum*. f. 270. to 276. *Hector Pinus*: *Com-*  
ment.

ment. in *Isaiam* cap. 56. & in *Ezech.* cap. 20. *Ambrosius*. *Catherinus Enar.* in *Genesis* c. 2. p. 122, 123. *Petrus Binsfeldius* *Enchiridion Theologie Pastoralis* pars 3. c. 10. p. 320. *Cardinal Bellarm.* de cultu sanctorum, lib. 3. c. 11. *Azorius* the Jesuit. *Instit. Moralium* pars 2. lib. 1. c. 2. *Lorinus* *Comment.* in *Deut.* c. 5. p. 222, 223, 224. *Petrus Vincentius* de *Marzilla*, *Annotatio* in *Exod.* c. 20. *Annot.* 3 p. 249. *Corne'ius à Lapide* *Comment.* in *Deut.* 5. p. 975. *Leonardus Marius* *Comment.* in *Exod.* c. 20. *Num.* 47. p. 504. *Vineentius Filiucius.* *Moralium Quaestionum.* Tom. 2. in 3. *Præceptum Decalogi* c. 1. sect. 7. to 11 p. 250. & c. 2. p. 251. *Ludovicus Ystella* *Comment.* in *Exod.* 20. p. 124. To whom I shall annex our own irrefragable English Doctors, *Alexander Alensis*, *summa Theologie* pars 3. qu. 32. Memb. 2. *Nicholaus de Lyra*, a converted English Jew, *Comment.* in *Exod.* 20. *John Peckham* Archbishop of *Canterbury*, and *William Lyndwood* *Constit. Provincialis.* lib. 1. de officio Archiepiscopii, f. 40. 41. *Thomas Waldensis*; *Doctrinale Ridei* Tom. 3. Tit. 16. c. 140. De celebrando festivo, *DIE M DOMINICUM sine mundanis operibus.* The Flower of the Commandements of God on the third Commandement. *Dives & Paurer* on the third Commandement, c. 11. f. 120. printed in times of Popery: all of them resolving, the fourth Commandement to be Morall still in force, obliging all Christians under the Gospel to the weekly observation and sanctification of the intire Lords-day, That *TOTUS ILLE DIES TOTALITER DIVINO CULTUI APPLICANDUS EST*; & *NIHIL ALIUD AGENDUM NISI DEO VAGANDUM*: and that because *DIES INTEGER*, & *SABBATUM TOTUM* cultui divino SACRATUR: not in their Treaty two or three hours of it onely devoted to the publick exercise of *ses and History* Gods worship in the Church as some new\* Doctors assent; who allot the rest to Sports, Pastimes, and wordly labours or affairs; being more licentious and prophane than Papists in this point, who are generally as strict as the greatest Puritane writers in their Doctrines, for their intire sanctification of the Lords-day; and against the use of all ordinary labours, sports, pastimes, dancing, enterludes, and carnall pleasures on it or any part thereof, even from Evening to Evening, when they begin and end it. Now if the Lords-day it self, be

\* Bish. White.

Dr. Heylin,

Mr. Ironside,

Dr. Joh. Pock-

lingtons *Sabb-*

day no Sab-

bath, p. 6. 7.

printed since

this was first

penned, see

Canterburies

Doom, p. 222,

223, &amp;c.



thus to be sanctified and solemnized by Christians, even by the equity and Morality of the fourth Commandment it self, literally commencing onely the sanctification of the seventh day Sabbath, which began and ended alwayes at Evening. Then it must by the very equity and morality of the fourth Commandment, be sanctified and solemnized by Christians from Evening to Evening, as the seventh day Sabbath was, both by Jews and Christians, heretofore by vertue of this Precept, which Reason our Opposites can no wayes evade.

*Reason 6.*

6. Our opposites themselves, apply all Texts and precepts in the Old Testament, for the sanctification of the seventh day Sabbath unto the Lords-day Sabbath, as being all one with it in substance. Why then should they or any other, reject that Text of *Levit. 23. 32. From Evening to Evening ye shall celebrate your Sabbath.* refuse the usuall Scripture computation of the beginning and ending all dayes, all Festivalls at Evening; and affix a new inception or end to the Lords-day (and all other dayes too) at Morning or midnight, which the sacred Writ doth no wayes warrant: As therefore they apply most other things concerning the seventh day Sabbath to the Lords day, so must they now the time and Texts for its beginning too, unlesse they can give good Scripture reasons for it, which no man can do.

*Reason 7.*

7. The beginning of the Lords-day and Sabbath at Evening, as soon as the Sun sets, or the Evening-star begins to shine, as it is most certain, (whereas the beginning of it from the hour or moment of Christs Resurrection, which is not certainly known nor expressed by the Evangelists, is arbitrary and uncertain, and so not to be embraced:). so is it most consonant to that rest or Sabbath in heaven, of which *these Sabbaths are a real type*. Heb. 4. 10 11. For our heavenly Sabbath ever begins in the very Evening, and Sunset of our dayes, when death puts a period to them, Rev. 14. 13. *Job 3. 17, 18.* or at least at the Evening and period of this world, *when dayes shal be no longer*, Rev. 10. 6, 7. Therefore by the analogy of the type to the substance, those Sabbaths should begin at Evening too, when the day-light ends: the rather, because the the

Evening usually puts an end to our Labours, and begins our ordinary rest, as death (the Evening of our dayes) concludes our earthly toyls and travels, and commenceth our heavenly rest. Rev. 14. 13.

8. This beginning of the Sabbath and Lords day at *Reason 2* Evening, doth best prepare men for the sanctification and duties of it, and most of all prevent the profanation of it.

For first it makes men to put a timely period to their weekly labours on Saturday Evening, and then to begin the sanctification of it with private meditations, prayer, singing of Psalms, reading the Scriptures, catechising of their children; and families, examination of their own hearts and wayes, and such like holy duties: where as the Doctrine of its beginning at midnight or morning light (as wofull experience witnesseth) makes many spend a great part of the Saturday Evening and night, (when the Sabbath and Lords-day begin in true calculation) especially in Cities and market Towns; in buying, selling; drinking, gaming, whoring, and such like worldly or carnall imployments; which this Doctrine of its commencement at Evening would easily redresse.

2. It causeth men to go to bed, and take their rest in due season, to rise the more early in the morning, to come to the publick duties of Gods Worship, with greater chearfulness, and better Preparation, and so to receive more profit by them: to resort more timely to the Church, to dispatch their own private devotions, before they go to the publick Assemblies, and to be every way more holy and active: whereas the other Midnight or morning inception of it, makes Trades men & others to set up Saturday nights (as we erroneously both call and repute them, very late about secular, or vicious, sinfull imployments) (there being more sinnes for the most part, and disorders committed that Evening and night, then on any, or all the other six: to lie long in bed the Lords day morning, to come very late to Church, or not at all; to repair to publick duties without any, (or at least with small) preparation, bringing along with them heads, and hearts full of worldly cares, of sinfull thoughts;

thus to be sanctified and solemnized by Christians, even by the equity and Morality of the fourth Commandment it self, literally commencing onely the sanctification of the seventh day Sabbath, which began and ended alwayes at Evening. Then it must by the very equity and morality of the fourth Commandment, be sanctified and solemnized by Christians from Evening to Evening, as the seventh day Sabbath was, both by Jews and Christians, heretofore by vertue of this Precept, which Reason our Opposites can no wayes evade.

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*Reason 7.*

7. The beginning of the Lords-day and Sabbath at Evening, as soon as the Sun sets, or the Evening-star begins to shine, as it is most certain, (whereas the beginning of it from the hour or moment of Christs Resurrection, which is not certainly known nor expressed by the Evangelists, is arbitrary and uncertain, and so not to be embraced:). so is it most consonant to that rest or Sabbath in heaven, of which *these Sabbaths are a real type.* Heb. 4. to 11. For our heavenly Sabbath ever begins in the very Evening, and Sunset of our dayes, when death puts a period to them, Rev. 14. 13. *Job 3. 17, 18.* or at least at the Evening and period of this world, *when dayes shal be no longer,* Rev. 10. 6, 7. Therefore by the analogy of the type to the substance, those Sabbaths should begin at Evening too, when the day-light ends: the rather, because the  
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Evening usually puts an end to our Labours, and begins our ordinary rest, as death (the Evening of our dayes) concludes our earthly toyls and travels, and commences our heavenly rest, Rev. 14. 13.

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of unlamented iniquities, and as full of deadnesse, and drowfineffe, which makes them either to sleep out prayers and Sermons too, or not to observe and mind them, as they ought: all which the Evening, beginning thereof would readily & best prevent. Wherefore I may safely conclude, that the Sabbath and Lords-day ought of right to begin at Evening, since God (being *\*only wise*) would certainly institute such an inchoation of them, as might best prepare and enable men to their Sanctification, and most anticipate their prophanation; the cause why he prescribed the celebration of the Sabbath from Even to Even, Levit. 23. 52. if I rightly conjecture.

\* Rom. 16. 27.

Reason 9.

9. It is confessed by all, that in the Scripture and Israelites account, all dayes began at Evening, as I have proved at large before: It is likewise most certain that Christ and his Apostles being Israelites, did ever constantly observe the Scripture, and their own nationall computation of the beginning and end of dayes, it being that which Christ himself, and all the Evangelists follow, as I have evidenced at large, in the third and fifth Conclusions; neither is it any way probable that Christ and his Apostles, (or the Primitive Church and Christians, who were in all things guided by them) did or would alter this their Nationall and divine beginning, or concluding of dayes, there being no ground or reason for it, for ought that yet appeares. If therefore the Lords-day were instituted and consecrated for a Sabbath, by Christ himself, as many or by his Apostles, as most; or by the Primitive Church Christians onely, soon after the Apostles time, as others affirm; (one of which three opinions is and must be granted by them for undoubted truth) then it is most certain, that it must and did (at its very first institution and observation) begin and end at Evening (not at morning or Midnight or because Christ himself, his Apostles, and the Primitive Church did ever constantly observe this computation; Therefore they would not, did not institute any other beginning of it, but this alone: which reason (in my poore weak apprehension) is so solid, that it admits of no evasion or reply.

Reason 10.

Lastly, That beginning and end of the Lords-day, which the

the Church & people of God in all ages, from the first institution of the Lords-day to this present age, have constantly observed, and the Church and learned in those ages positively in expresse termes resolved, to be most true and genuine, is \* *questionless* the proper infallible inception & conclusion thereof (This no man I presume, either will or can deny.) But this beginning and ending of the Lords-day at Evening, which I here plead for, is that which the Church and people of God in all ages, from the first institution of the Lords-day to this present age have constantly observed, and the Church and learned in those age, have positively in expresse termes resolved to be most true and genuine; none ever oppugning it till *q Wolphius*, about some sixty years since, the first I find or hear of, that broached this new opinion of its beginning at morning, because our Saviour did then rise again; whose authority and sophistical reason (a meere *Norr sequitur*, as I shall prove anon) hath seduced and drawn over many unto his opinion, both in their judgements and practise too) Therefore it is questionlesse the proper infallible inception and Conclusion thereof. The *Minor* which is onely *q* in his *Chronol. l. 2. c. 1.* liable to exception (and may seem a *Paradox* to some, who over-rashly stile this Position of the Lords-dayes beginning at Evening, an upstart novelty never heard of in the Church of God till this present age, in truth because themselves are ignorant in Antiquities, and versed onely in late modern writers, who foment the contrary Error, which I daie affirm, to be the late figment of some modern Authours, not once so much as heard of in any former ages, which I here challenge them to disprove:) I shall make good by unanswerable Reasons and Authorities, (as I conceit them). even from the very Apostles time to this present Century; and that in a Chronological method, beginning with the Primitive times, and so descending in order to this present age.

It is a Querie, not yet resolved amongst Divlnes, when and by whom the observation of the Lords-day for a Sabbath, was instituted? Some hold it was instituted by Christ himself between his Resurrection and Ascension: Others that it was instituted by the Apostles after Christs the

*Quicquid enim omnes vet plures, uno eodemque sensu, manifeste, frequenter, perseveranter, velut quodam sibi consentiente magistrorum Concilio accipiendo, tenendo, tradendo, firmaverint id pro indubitato, ritoque habeatur Vincens contra Hareses c. 39. in his Chronol. l. 2. c. 1.*



\* Anno 1557.  
apud Bechet.  
lum Decret.  
Eccles. Gal. 1. 4.  
Tit. 10. c. 1.  
p. 596.

\* See Bishop  
us. vs. Cas-  
clusme, Mr.  
Palmer and  
Mr. Caudey of  
the Sabbath.

Ascension, but at what certain time they do not accord. A third sort affirm, that it was ordained onely by the Primitive Church, and Christians a little after the Apostles times, or as the \* Council of Paris and others affirm, by the Council of Laodicea, about 360 years after Christ, but not by Christ or his Apostles. For my own part, as I shall not peremptorily resolve in this place, which of these opinions is the truest, it being not the scope of this present discourse: referring you to Mr. Sprint, Dr. Bownd, Mr. Widly, Mr. Dod, Mr. Cleaver, Mr. Bernard, Dr. Truisse, Bishop Andrews, the *Præfise of Piety*, Mr. Elton and others, who have written of this subject, & on the fourth Commandement, for satisfaction herein, which requires a particular Treatise. So I shall on the other side positively affirm, that let the Lords-day be instituted either by Christ himself, or the Apostles, or the Primitive Church and Christians succeeding next after the Apostles, about the end of the first Century after Christ, (at which time it is clear by the testimonies of Ignatius, Clemens Alexandrinus, Justin Martyr, Tertullian, Irenæus, Plinie, and others, that the Lords day was usually solemnized by Christians) yet the first Institutors of it, and the Primitive Christians who first observed it, did ever begin and end it at Evening, which I shall make good by these reasons, (there being no direct convincing authority extant, either when the Lords-day was first instituted, or at what time it was first appointed to begin.)

*Reasons.*

1. If Christ or the Apostles constituted it for a Sabbath, it is more then probable, if not certain, that they ordained it to begin and end at Evening.

1. Because they being all Jews, and ever exactly following the Scripture, and their own Nationall account, of commencing the day at Evening, as I have formerly evidenced; we cannot conceive that they should institute any new beginning of the Lords-day, at Midnight or Morning, contrary to the Scripture, and their received Country account, but that they still observed this usual and divine computation, even in the Institution, and Solemnization of this day.

Because

2. Because this beginning of this day being immutable, and in \* God the Fathers power only to alter, not in theirs; it had been a presumption in them to change it, without a speciall Commission from him; the times being still in his power, even at Christs Ascension, not in Christs or his Apostles, *Acts* 1.7. But we never read of any such Commission granted them to alter this day from Evening to morning, therefore it is presumption, yea folly to believe or affirm it.

3. Because the Lords-day (as all sides accord) was instituted in memory of Christs resurrection on the first day of the week. Now the first day (as I have manifested) began and ended at Evening in divine Evangelicall account, even as our Saviours Resurrection day; neither did his Resurrection on it alter its beginning from Evening to morning: Therefore the Lords-day being but the first day of the week, and having the same beginning and setting as Christs very resurrection day had, must begin, and end at Even, at its Primitive Institution and observation: neither did or could the Institution of the first day of the week for a Sabbath, in memory of Christs Resurrection, change the beginning of the day, since Christs resurrection it self in the morning, (the supposed cause of this alteration) did it not.

4. Because Christ, or his Apostles, would never consecrate a day in memory of the Resurrection on it, within the compasse of which day Christ did not rise again: for that were a great absurdity. But had they consecrated a Lords-day to begin at Morning from day-breaking, or from the very time that Christ arose (which is uncertain, unknown, and so this Lordsdayes beginning too) they had instituted such a Lords-day within the compasse of which Christ did not rise, he being risen before day-break, whiles it was dark *Matth.* 28.2. *John* 20.1. and his Resurrection being but the point, from which the day begins, and so not within it, on it, but before it. Therefore they instituted it to begin at Evening, not at morning.

5. It is certain, that Christ himself, his Apostles, and the Primitive Christians, for some good space of time did constantly observe the seventh day Sabbath, after

Christ's Passion, and Resurrection; the Evangelists, and Saint Luke in the *Acts*, ever styling it, the Sabbath-day, (which name it yet retains in \* Latine) and making mention of its consecration solemnization by the Apostles, and other Christians. Mark 16.1. Luke 23.56. See Mark 15.42. and Luke 23.54. Matthe. 24.20. *Acts* 12.c.13,14,27.42.44.c.14.1. c.15.20,21.c.17.1,2,10. and c.18.4. it being still solemnized by many Christians, after the Apostles times, even till the Council of Laodicea, about the year of our Lord 360. as Ecclesiasticall writers, and the 29<sup>th</sup> Canon of this Council testify, which runs thus, *Quod non oportet Christianos Judaizare, & otiare in Sabbato, sed operari in eodem die.* (which many did refuse at that time to do:). *Preferentes autem in veneratione Dominicum diem* (there being then a great Controversie among Christians, which of these two dayes, the seventh day Sabbath, or the Lords-day should have precedency, both of them being then observed by some) *si vacare voluerint, ut Christiani hoc faciant; Quod si reperti fuerint Judaizare Anathema sint à Christo.* Since therefore the seventh day Sabbath was thus solemnized by Christ, the Apostles, and Primitive Christians, after the resurrection till this Laodicean Council did in a manner quite abolish the observation of it: it necessarily follows, that they began their Lords-day celebration at Evening. For the seventh day Sabbath, (as I have proved in the second Conclusion) did ever begin and end at Evening, and is so solemnized and begun by the Jews at this day: Wherefore they concluding this day at Evening, they must necessarily begin the Lords day then, because the first day of the week which they celebrated as the Lords-day, did then commence? the Evening following the seventh day Sabbath, being apart of it in their account, and one day ever necessarily beginning when the other ends. To these five Reasons I might adde those others formerly alledged to

*\* Dies Sabbati being the Latin name for Saturday.*

*† Synodus Concil. Tom.1.p.436.*

*‡ Athanasius de interp. Psal. m. c. 302. A. & Momilia De semente p.365. Ignatius Epist. 6. B. bl. Patr. Tom.1. p.81. & Epist. 8.p. 84. E. Clemens Romanus, Constit. Apost. 1.2.c.63. L.7.c.36.1.8. c.39. Surtius Concil. Tom.1. p.68.105. 120. a. Primasius Comment in Retor. 83. Sozomenus Histor. Eccles. ast. 1.7.c.19, Tom. Bibl. Pat. 5. pars 2. p.435. F.6. Socrates Scholasticus Ecclesiast. hist. lib. 5.c.21. p.35.3. Nicephorus callist. Eccles. Hist. lib. 12.c.34.p. 357. Centur. Magdeburg. Centur. 1. pars 2. cap.6 col 493. l.30.503. De Festis, Centur. 4.c.6.col.430. c.15.col.1466. Centur. 5.c.6.col.648. Centur. 8.c.6 Col.342. l.40. Beda in Luca Evangelium. l.2. cap.6. Tom. 5. Col.263. Apost. Canon. Can.65. Surtius Concil. Tom.1.p.30 Chryl. Hist. 11. in Gen. 2. Tom.1. Col.58. B. C. Synodus Parisiensis, Anno 1557. apud Bochellum. Decret. Eccles. Gal. p.598. Concilium Laodicense. Diem Sabbathi in diem Dominicum mutavit, ne Judaeismum imitare videretur, writes this Council of Paris.*

prove that the Lords-day ought to begin at Evening. All which being laid together, are an infallible proof; that admit the Lords-day instituted by Christ and his Apostles, yet it was ordained by them from the very first, to begin and end at Evening, and so to be solemnized, and that themselves did thus begin it. If it were onely instituted by the primitive Christians\* succeeding them, no question but they at first concluded, that it should be sanctified from Evening to Evening, many of them being Jews, who kept all their Sabbaths and Festivals from Evening to Evening, to whom the other Christians did readily conform in this particular, because it was the Scripture computation, even from the Creation, and for other premised Reasons. For the Apostles themselves, and other Christians condescending to them for a time, in the point of Circumcision, Purification, and other such Ceremonies, quite abrogated by Christs death, Acts 21. 20. to 28. 1 Cor. 9. 20. Gal. 2. 14. 15. c. 6. 12. would certainly concurre with them in the beginning and ending of their Sabbaths, and sacred festivities, which were no wayes ceremoniall, nor altered, nor abrogated by Christs death. From which premises I conclude; that let the Lords-day be instituted, when or by whomsoever, yet it was ordained in its primary institution to be solemnized from Evening to Evening, and that it was sanctified in this manner by its originall Institutors. To put this out of question, I shall descend from the alledged reasons, to direct Authorities, culling out some few of the chiefest in all ages, and pretermittting all the rest for brevity sake. I shall begin with the ancientest first, and so proceed in order to our present times.

\* See Brentins  
in Lewis. 23. 2.  
and 25 8.

The first Authority I shall insist on, is, that of Acts 21. 7, 8, 11. (which many object against me, though it be most pregnant for me) *About Ann.* And upon the first day of the week, when Christi 56. the Disciples came together to break bread, Paul preached unto them, ready to depart on the morrow, and continued his speech untill Midnight: And there were many lights in the upper chamber where they were gathered together, &c. When therefore he

was come up again, and had broken bread, and eaten, and talked a long while, even till break of day, so he departed. This is the very first and best Scripture Authority properly alledged for the solemnization of the Lords-day, by the Apostles and Christians of that age, who began the celebration thereof at Evening, not at morning or midnight, as is plain by this Text.

u See Centur.  
Magd. 2. l. 2.  
c. 6. Col. 493.  
accordingly,  
gent. 2. c. 6. col.  
120. Augusti-  
nus de tempore,  
Scr. 25 1. Ter-  
tullians Apo-  
logy. c. 39.

x See Acts 20.  
33.

1. Because their solemnizing of it begun no doubt at that time, when as they came together to break bread, that is, to receive the Sacrament, as most, or to keep their *Agape* or *Love-feasts*, as others interpret it; or rather (in truth) to do both: But the Christians in that time did both celebrate the Sacrament and keep their *Love-Feasts* at <sup>u</sup> Evening, in imitation of our Saviour, who first instituted and kept the Sacrament at Evening, after Supper, Luke 22, 20. John 13. 2, 4. c. 21. 20. whence it is called the *Lords Supper*, 1 Cor. 11. 20. See Luke 14. 12, 16, 17, 24. Rev. 19. 9. 17. This is manifest by 1 Cor. 11. 20, 21. *When ye come together therefore into one place, this is not to eat the Lords-Supper: for in eating every one taketh his own supper; and one is hungry and another is drunken: Now this Text styling the Sacrament, the Lords Supper, and informing us, that the Corinthians did usually receive it after they had eaten their own Suppers; and that some were drunk when they came to receive it (and in those times, They that were drunk, were drunk in the night, 1 Thes. 5. 7.) ascertains us, that this their coming to receive the <sup>x</sup> Sacrament and keep their Love-feasts, was at Evening or candle-lighting, when it was Supper time.*

2. Because the Text saith, *There were many lights in the upper room where they were gathered together; and that Paul preached from the time of their coming together till midnight: Both which do manifestly declare their Assemblies began at Evening, as they anciently did, because there were many lights in the room where they met, which were lighted (as the Text insinuates) before, or so soon as they assembled in it: and because it is not probable that Paul (who begun his Sermon when they came together, as the words imply) did preach from Midnight, or the morn-  
ing*

ing before, till midnight following, there being never such a Sermon heard of: but only from Candle-timing till midnight, the space of four or five hours.

3. Because the Christians in the next succeeding ages, (as is manifest by <sup>1</sup> Plinie and <sup>2</sup> Tertullian) did begin their Christian meetings, and Love-feasts at Evening, whence they likewise stiled them a Supper; which Tertullian thus describes, *Cæna nostra de nomine rationem suam ostendit. Vocatur enim Agape, id quod penes Græcos dilectio est. Non prius discumbitur quam oratio ad Deum prægustetur: Editur quantum convenientes capiunt; bibitur quantum pudicis est utile: ita saturantur, ut qui meminerint, etiam PER NOCTEM adorandum sibi Deum esse: which shews that they began their Feasts and Christian exercises, (which he here conjoyns) at Evening, and continued them all night: as Saint Paul, and the Disciples at Troas did. (Which meetings Theophilus Alexandrinus in his Epist. Paschalis 3. 3. Bibl. Patrum, Tom. 4. p. 723. calls *Vespertina congregatio.*) Post aquam manuale ac LUMINA (which manifests they kept their Assemblies by Candle light, and so begun them at Evening.) ut quisque de scripturis sanctis, vel de proprio ingenio potest, provocatur in medio Deo canere; (which <sup>1</sup> Plinie the second stiles, earment-que Christo, quasi dicere secum invicem;) hinc probatur quomodo bibent. Atque oratio convivium dirimit: Inde lis disceditur, non in cæteras cæsonum, neque in Classes disputationum, nec in eruptiones lascivorum, sed ad eandem curam modestie, & pudicitie, ut qui non tam cænam cænaverint, quam disciplinam. Which usage well explains this place of the Acts. It being apparent then (as the subsequent Antiquities will more abundantly manifest) that this meeting of the Disciples at Troas, and Pauls preaching to them began at Evening. The sole doubt will be what evening this was? whether that which we call Sunday night (as many erroneously mistake) or Saturday night? (which is the Lords-day night if any:) For my own part I conceive clearly, that it was upon Saturday night, (as we falsely call it) not the ensuing Sunday night. For admitting the Lords-day was then instituted for a Sabbath) (which those of*



the opposite opinions grant and I consent to) there will be no great question of it.

1. Because if the Christians at *Troas* observed this first day of the week as their Sabbath, no doubt but this their meeting to solemnize it, and receive the Sacrament on it, was rather that Evening which began, than that which ended the Lords-day, in their account; else they should have begun its solemnization onely when it ended, which is improbable. But our *Sunday Evening* (on which some affirm this meeting) ended, not commenced the Lords-day in their account, they ever beginning their dayes the Evening before, as the premises manifest: Therefore this Assembly, was on our *Saturday Evening*, there being no mention of any meeting, the day or Evening before.

2. Because the Christians, in the next succeeding ages, (as I shall prove by the following testimonies) did ever begin their Lords-day assemblies and solemnities on *Saturday Evening*; solemnizing it from Evening to Evening, because the first observers of it did so. Therefore it is more than probable, that these Christians at *Troas* did so too.

3. Because Saint *Luke* records that it was upon the first day of the week, when this Meeting was, and this Sermon of *Pauls* made; therefore it must needs be on the *Saturday*, not on our *Sunday Evening*, since the *Sunday Evening* in *S. Lukes*, and Scripture account, was no part of the first, but of the second day; the day ever beginning and ending at Evening, in their computation, as the premises evidence.

4. All my opposites confesse, that the Disciples met at this time, upon the first day of purpose to sanctifie it for a Sabbath; and can they then think that they would defer their meeting till our *Sunday Evening*, when all the day in their account (and the best, the chiefest part of it in their compute, who begin it at midnight or morning) was expired? Certainly, this had been to make the Lords-day no Festivall day at all, or at most not so much as an half-holy day; which we cannot presume these Disciples, and

and S. Paul would do did they observe it as their Sabbath: From all which reasons I may more then probably conclude, that it was the *Saturday Evening* (when the Lords-day began) not the *Sunday night* (when it ended) when this Divine Assembly was kept; the rather because they received not the Sacrament, nor *broke this bread till after midnight*, as the Text affirms; and so after the Lords-day ended even in the accompt of such who affirm it ends at midnight: And because this beginning of their Assembly when the day begins, makes most for the Apostolical divine Institution and sanctification of the Lords-day; for the which this Text will little avail, if this Assembly on it, were on our *Sunday night*, when the day was either wholly or for the most part expired, and so this meeting no warrant for its totall sanctification.

But against this it will be objected, First; that Saint Paul departed from *Troas* the very next morning at day-break; which he would not have done, had it been part of the Lords-day, for he would not have taken this journey then, lest he should have profaned it. Besides, the Text saith, *That he was ready to depart on the morrow*; which signifieth another day, not the same: therefore this night must needs be our *Sunday night*, his departure being on the morrow, to wit on our *Monday*, the next day after it.

To this I answer, First, that it is clear by *Act 20.6.* that Saint Paul came to *Troas* upon the Lords-day: For he stayed there seven dayes, And upon the first day of the week, he thus preacheth till midnight, ready to depart in the morning: so that the first day was the last of those seven dayes, and the first day of the week preceding it, the day on which he came to *Troas*: Paul therefore might as well depart on this day from *Troas*, as he came unto it thereon: And that without profanation of the day: for he came and went by ship, verse 8: 13, 14. and so might sanctifie the rest of the day a ship board, (as our marriners and passengers who sail on the Lords-day, as well as other dayes, use to do) because the wind and tide then serving, and the ship

Objection.

Answer.

in

in which he was to sail, being to depart that morning, there was a necessity for him then to go a ship-board, else he might have lost his passage: which necessity and circumstance of sailing away that day, made this his departure on it, no violation of the day: works of necessity, being no breach of the Sabbath, as <sup>a</sup> Christ himself, and <sup>12</sup> Luke 14. 3. all Divines resolve: the rather here, because he might preach and spend the rest of the day in the ship as profitably as on the shore, and the Mariners might likewise now set sail (the wind and weather serving) without profanation of the day, as they still usually do in all places.

<sup>a</sup> Mat. 12. 1. to  
12. Luke 14. 3.  
to 6. John 7. 22  
23.

2. I answer, that the Morrow, hath a double signification in Scripture. Sometimes it is taken for the next <sup>b</sup> Evening or naturall day: Other times it is taken for the next morning or day-light, or that which we usually call day, in opposition to the night: not for the next naturall day, which begins at Evening, but the next artificiall day of twelve houres day light, which begins at Morning. In this sense it is used most commonly in Scripture, witness Levit. 22. 30. *When ye will offer a sacrifice of thanksgiving to the Lord at your own will: on the same day it shall be eaten up; ye shall leave none of it untill the morrow:* compared with Levit. 7. 25. which speaking of the same offering, saith, *He shall not leave any of it till the morning.* (See Exod. 12. 10. c. 16. 19, 23, 24. where there is the same expression) In which Text the Morrow, is nothing else but the morning following: for had this offering been at Evening, or night, when the naturall day begins in Scripture account, yet they might, not have reserved any of it till the Morning, for that had been to morrow, as morrow is opposed to the night not to the naturall day. So in 1. Sam. 19. 11. *Saul sent Messengers, to Davids house that night to watch and to slay him in the morning: and Michall told him, saying, if thou save not thy life to night, to morrow thou shalt be slain.* Where morrow is not put for another naturall day (that morrow in Scripture and the Jews account being part of that naturall day, of which this night was the beginning) but onely for the day-light, or artificiall day, being the

<sup>b</sup> See Mat. 6.  
34. Luke 13. 32  
33. 1. Sam. 9. 16  
19. c. 5. 3, 4.  
Jam. 4. 13. 14.

the same naturall day on which these words were spoken. Thus it is used in 2 Sam. 11. 9, 12, 13, 14. Esther 2. 14. So Zeph. 3. 3. Her Judges are Evening-wolves, they gnaw not the bones till the morrow, that is, till the morning following. And Acts 23. 31, 32. Then the Souldiers took Paul by night and brought him to Antipatris; on the morrow they left the horsemen to go with him. In all which places the morrow is put onely in opposition to the preceding night, and for the day light following; (which night and morrow make up the same naturall day) not for the beginning of the next ensuing naturall day, or for another day. Hence the Scripture useth this phrase: *The morrow after that day; or after the Sabbath*, Levit. 23. 11, 15. Josh. 5. 12. 1 Chron. 29. 21. because there is a morrow opposed to the night, wherein a thing is done or spoken, which is a part of the same naturall day, that the night is. In this sence morrow must needs be taken here: for this meeting beginning but at night, and Paul continuing his Preaching untill midnight following, ready to depart on the morrow: this morrow was nothing but the next morning; which was a part of that first day, on which the disciples met, as it was a naturall day consisting of twenty four houres, and beginning but that Evening; not another day of the week, or our Monday morning, as some affirm. This morrow therefore being but the next morning, and opposed to the night onely; (not to the naturall day on which this Assembly was kept at Troas; and this night being part of the first day of the week (which as a naturall day in Scripture accompt began at Evening) could be no other but the Lords-day morning, nor the Monday following; and this meeting (as the premised Reasons prove) could be no time else, but our Saturday night, notwithstanding this Objection. So that I may safely conclude, that Saint Paul and the Christians of Troas (the first solemnizers of the Lords-day that we read of) did begin its solemnization at Evening, not at morning or Midnight: Wherefore we ought to begin it then. This is my first Authority in point of practise,

to prove, that the Primitive Christians began the Lords-dayes-sanctification at Evening.

Ann'Dom.106.  
a Epist. l. 10.  
96. Epist.

My next evidence is that of *Plinie the second*, who writes thus to the Emperour *Trajan*, concerning the time, and manner of the Christians solemnization of the Lords-day. *Soliti erant STATO DIE ANTE LUCEM CONVENIRE carmenque Christo, quasi Deo dicere secum invicem; Seque SACRAMENTO, non in scelus aliquod, astringere, sed ne furti, ne latrocinia, ne adulteria committerent, ne fidem fallerent, ne depositum appellati denegarent, &c.* By which it is evident, that the Christians in that age (a time of persecution) and after ages too, did <sup>b</sup> usually meet together to receive the Sacrament, and perform their holy Exercises, at night, when it began to grow dark, and concluded them at day-light or about day-break, (as the disciples did at *Troas*, *Acts 20.7. to 12.*) which Assemblies some Ecclesiasticall Histories call, *Antelucani catus*; Night-Assemblies, or meetings, before day light; not because they began in the morning about day-break, as some would have it; but because they both began and ended before day-dawning; the Christians in that time of persecution, not daring to meet publicly in the day time for fear of apprehension. Now this was night on which they kept those Assemblies was not our Sunday, but our Saturday night, on which our Saviour arose while it was dark: and in Honour of his Resurrection did they begin and keep their Lords-day solemnization, on this night, not the night ensuing, as is evident by *Justin Martyrs* second Apology, with other ensuing testimonies. And these their night conventions were the Occasion of those slanderous imputations which the Gentiles cast upon the Christians; <sup>c</sup> that after their Exercises of Religion ended, they did use to put out the lights (used to expell the darkness of the night, *Acts 20.8.*) and then couple promiscuously one with another, yea murder and eat up children, and commit all manner of villany. Since therefore they began their Lords-day exercises at Evening, before day light began; as this Heathen Authour and all Ecclesiasticall Historians writing of this age, accord; we need not doubt, but

b See *Centuria Magd. 4. c. 6. Col. 149. Theodoret. Eccles. Hist. l. 2. c. 13. Socrates Scholasticus Hist. l. 6. c. 8. Sozomenus Hist. Eccles. l. 8. c. 21. Valler de Vandalicis persecutione. l. 2. Cens. Magd. 5. c. 2. Col. 647, 648.*

c See *Tertullianus Apologia, Justin Martyrs Apologies, Anaxagoras Oratio pro Christianis,*

but the day in their accompt did then begin; since they would not begin the exercises of the day till in truth it began.

My third Authority is that of *Tertullian* about 200 Ann. 200. years after Christ; in his *Apology* for the Christians, c. 38, 39. (the words whereof I have already alledged) and de *Corona militis* c. 3. where he writes thus. *Eucharistia Sacramentum in tempore victus, & mandatum à Domino, ANTE-LUCANIS CÆTIBUS, nec de aliorum manu quam presidium sumimus:* w<sup>ch</sup> expressly shews; that the Christians of that age did begin their publick Lords-day meetings, and Love feasts in the Evening, and spending the Saturday night (as we falsely deem it) in Gods worship, receiving the Sacrament and other holy duties; which night assemblies he styles, *Nocturne Convocationes*; because they spent the greatest part of that night in them: *nocturne* signifying properly, not morning, or early risings and meetings before day, but a watching or sitting up all night, without going to bed, or taking rest, as the common proverb, *Nocturne lucubrationes periculosissimæ sunt*; compared with its oppositè Adagie, *Diluculo surgere saluberimum est*; and *Isa. 30. 29. Luke 2. 8. c. 5. 5. 6. 12. John 3. 2. Gen. 31. 39, 40. Num. 14. 1. Josh. 10. 5. Prov. 31. 18. Psal. 119. 75.* with other Scriptures, testifie.

b Ad quam lib. 2. cap. 3. See Augustinus de tempore, Sermo 251.

But to passe by examples, and come to direct Authorities.

4. My fourth testimony is that of *Athanasius*, the great Ann. 340. Anti-Arrian Bishop of *Alexandria*. *Questiones ad Antiochum: Quest. 52, 53. p. 380. Neque contra nos afferrent Judæi, quod in Sabbato surrexerit Christus, ideo eorum ora longe ant-obtulerat Deus, lege illis data; ut A VESPERA ORIGINENTUR DIEM SABBATI. Cur hanc ob causam & nobis Deus præcepit, A VESPERA SABBATI ORDIRE DOMINICUM?* Responsio. Non ob eam causam: sed postquam Deus Gentem ex tenebris ignorantie, & ex lege ad Lucem cognitionis Dei & Evangelii vocavit; Convenienter sanè nobis PRÆCEPIT Resurrectionis ipsius diem, A VESPERA INCHOARE & ad Lucem perducere. INDECORUM enim, & INCONCINNUM FUERAT A LUCE ORDIRE, & in noctem & re-



*nebris desinere Christi vera lucis dies.* A most express resolution, that the Lords-day ought to begin from Saturday Evening, and that it is both unseemly and unfit to begin it from the morning. Answerable to which is that of *Anselm. Enarrationes in Math. 28. v. 1. 2. Operum, Tom. 1. p. 116.* Ordo temporum habet, *vesperam magis tenebrescere in noctem quam lucefcere in diem; sed mysticè dicit lucefcere, pro gloria resurrectionis imminentis.* Huc usque dies noctem dicebatur precere. Nunc ordo mutatur. & **NOX QUA SUPREXIT, DIEI, QUA SE OSTENDIT, ADJUNCTA EST.** Et congruè prius diem nox sequebatur, quia à luce homo in tenebras ceciderat. **NUNC VERO DIES SEQUITUR NOTEM,** quia per Resurrectionem à peccatis ad vitam reducimur. Which Passage is almost verbatim recorded by *Haymo Halberstatensis Homiliarum pars Æstivalis: Colonia 1531. Hom. in die sancto Paschatis p. 7. 8.* and by *Christianus Grammaticus Expositio in Matthæum Evangelistam (c. 28 v. 1.) Bibl. Patrum Tom. 9. pars 1. p. 491. D. E.* by *Zacharias Crisopolitanus in viam ex quatuor Bibl. Patrum. Tom. 12. pars 1. p. 203, 204. A.* *Isidor Hispalensis de natura Rerum. c. 1. p. 246. Gratian. sentent. l. 2. Distinct. 13. E.* and others.

Annus 360.

My fifth Authority is the Council of *Laodicea*, about the year of Christ 360. which as it first settled the observation of the Lords-day, and prohibited, abolished the keeping of the Jewish Sabbath under an Anathema. *Can. 49.* forecited; So it thus positively determined: **UT A VESPERA USQUE AD VESPERAM DIES DOMINICA SERVETUR:** as is recorded *Capit. Caroli & Ludovici Imperatorum lib. 1. c. 15.* collected by *Ansgisus & Benedictus Levita; & Fredericus Lindebrogus Codex Legum Antiquarum p. 833.*

Annus 400.

\* See Rabanus  
Maurus Ope-  
rum, Tom. 5.  
p. 604.

My sixth Evidence is the expresse testimony and resolution of Saint *Augustine*, the eminentest of all the Fathers, *De Tempore Sermo 251.* *Observeimus ergo diem Dominicam Fratres; & sanctificemus illam, sicut antiquis preceptum est de Sabbato. (Levit. 23. 32.) A VESPERA USQUE AD VESPERAM celebrabitis Sabbata vestra. Videamus ne etiam nostrum vacuum sit; Sed A VESPERA DIEI SABBATI USQUE AD VESPERAM DIEI DOMINICÆ sequestrati à rurali opere*

opere, & ab omni negotio, solo divino cultui vacemus. Veniat ergo cuicumque possibile sit ad VESPERTINAM atque NOCTURNAM CELEBRATIONEM, & oret ibi inconvictus Ecclesia pro peccatis suis Dum, &c. An authority so full for the celebration of the Lords-day from Evening to Evening, in that age, that it cannot be shifted nor avoyded, and a direct resolution in expresse Terms of our present Question.

My seventh, is Pope Leo the first, *Epistolarum Decretalium Anno 450.* Epistola 79. which you shall find in the second part of his own works, in *Juo Carnotensis Decretalium*, pars 6. c. 71. Gratian. *Distinctio* 75. & de *Consecratione Distinctio* 3. & in *Surinus Conciliorum Tom. 1. p. 789.* where he thus resolves our Question: *Quod ergo à patribus nostris propensiore cura novimus esse servatum, à vobis quoque volumus custodiri, ut non passim diebus omnibus Sacerdotalis ordinatio celebretur, sed post diem Sabbati, ejusdem noctis quæ in prima Sabbati lucefcit exordia deligantur, hoc est sub Læge Divini officii substituantur, in quibus qui consecrandi sunt jejuniis, & jejunantibus, Sacra benedictio conferatur. Quod ejusdem observantia erit, si mane ipso Dominico die continuato Sabbati jejuniis celebratur: à quo tempore PRÆCEDENTIS NOCTIS INITIA NON RECE-DUNT; QUAM AD DIEM RESURRECTIONIS, sicut etiam in Pascha Domini declaratur, PERTINERE NON EST DUBIUM.* So that it was past all dispute, and doubt in his time, that the Lords-day began at Evening, and that our Saturday night was part of it. Then it follows: *Nunquam benedictiones nisi in Die Dominice Resurrectionis tribuuntur, à CUI A VESPERE SABBATI INITIUM* à Presbyteri *verè ad vesperam, quæ magis ad Dominicam pertinet, consecrantur, Honorius Augustodanensis, de antiquis Miss. l. c. 19. Patr. Tom. 12. pars 1. p. 1043.* *CONSTAT ASSCRIBI.* From which Text of his, *Juo Carnotensis: Anno Dom. 1100. Gratian Anno 1170.* in their forenamed places, together with *Panormitan, Antonius de Brutio, Joannis Thyerey, Bartholomeus Brixienfis:* and all other Canonists in their Glosses on the fore-quoted Texts of *Gratian* (where these words of *Leo* are recited) resolve without dispute: *QUOD DIES DOMINICA INITIUM HABET A VESPERA SABBATI: quod probat per consuetudinem, & etiam per doctrinam Apostolicam. Quod VESPERA*

b See Bishop  
Usher's Trea-  
tise of the Reli-  
gion professed  
by the ancient  
Irish. c. 4. p. 34.  
Edit. 1631.  
Anno 610.

SPERA PRÆCEDENTIS NOCTIS TRAHITUR AD DIEM SEQUEMTEM, ut siue de vespere in Sabbato, siue de mane in Dominico ordines conferantur, semper in die Dominico videantur conferri: All of them according, that the Lords-day begins and ends at Evening, not at morning or Midnight. A truth so clear in that age, as it was past all doubt, the <sup>b</sup> Scott and Irish Christians about the year 597. and before, beginning the Lords-day at Evening, as Bishop Usher attests.

My eighth Testimony, is the second Council of Mafcon, Canon 1. apud Surium; Concil. Tom. 2. pag. 682, 683. Custodite diem Dominicam quæ nos denuò peperit, & à peccatis omnibus liberavit. Nullus vestrum litium somnitibus vacet, &c. Estote omnes hymnis & laudibus Dei animo corporeque intenti. Si quis vestrum proximam habet Ecclesiam, properet ad eam, & ibi Dominico die semetipsum precibus, lacrymisque afficiat. Sint oculi manusque vestri toto illo die ad Deum expansæ. Then it follows; NOCTEM QUOQUE IPSAM quæ nos insperata luci inaccessibili reddidit (to wit our Saturday night before Easter, on which Christ rose again) SPIRITUALIBUS EXIGAMUS EXCVBIIS; NEG DORMIAMUS IN EA, SED OREMUS & VIGILEMUS OPERIBUS SACRIS, ut digni haberemur coheredes fieri in regno Servatoris. Which Canon proves, that the Christians of that age did solemnize our Saturday night (before Easter especially) and spend it all in holy vigils, prayers, and religious exercises, because Christ rose upon it, accounting it a part of the Lords-day, and beginning their Lords-day exercises on it, not on our Sunday night.

Anno 610.

My ninth Proof is, the fourth Council of Toledo in Spain, Canon 8. Apud Surium. Tom. 2. p. 729. Lucerna & Cereus in pervigiliis, apud quasdam Ecclesias non benedicuntur, & cur à nobis benedicantur, inquirunt. Propter GLORIOSUM enim NOCTIS ILLIUS SACRAMENTUM hæc solemniter benedicimus, ut SACRAMENTUM SACRÆ RESURRECTIONIS CHRISTI MYSTERIUM QUOD TEMPORE HUIUS NOCTIS VOTIVE ADVENIT, BENEDICTIONEM SUSCIPIAMUS. Et quia hæc observatio per multa-

*multarum loca terrarum Regioneq; Hispanie in Ecclesiis commendatur, dignum est ut propter unitatem pacis, & Gallicanis Ecclesiis conservetur. Nulli autem impune erit, qui hoc contempserit, sed Patrum regulis subiacebit.* By which Canon it is most apparent, that the Christians of this age did solemnize our Saturday night with holy vigils, prayers and exercises of Religion, beginning their Publick Assemblies and Lords-dayes duties on it, because the glorious Sacrament, and Myſtery of Christs Resurrection hapned on it, the blessing whereof they expected to receive by this nights sanctification. Therefore questionlesse they began their Lords-day at Evening, and made this night onely, not our Sunday night, parcel of it; because Christ in their accompt did rise again upon it. Neither was the celebration of this night the practise onely of some few private Churches, but of all Christian Churches in that centurie, since this Council layes it down as a prevailing argument, why *all Churches* should consecrate their Candles and Tapers on it, as well as the *Spanish Church*, and *Churches in France*; which had been no motive at all, had not the solemnization of this night in memory of Christs Resurrection, been universall, though the superstitious Ceremonie of Hallowing Lights and Tapers on it, was not so. Which general received practise of solemnizing this night, & spending it thus, in vigils & prayers, even from the apostles time, till long after this Council, is a satisfactory argument to me, that Saint Pauls and the Disciples meeting at Troas upon the first day of the week (where they spent the whole night together in preaching and other Christian exercises Acts 20. 1, 9, 10, 11) was on our Saturday, not Sunday night, it being no doubt the originall pattern from whence this custome sprung which this Council mentions.

My tenth Evidence is the expresse inanswerable Authority of *Anastatius Sinaita, Anagogicarum Contemplationum lib. 2. Quest. 86. 152. 153. Bibl. Patrum Tom. 6. pars 1. p. 634. B. 778. 795. Propterea Scriptura tenebras ponit ante lucem, quoniam prius eramus in errore, deinde transeamus ad lucem. Propterea PRIOR EST VESPERA, DEINDE DIES. Hinc* ANNO 640.  
LEGE

LEGE EST CONSTITUTUM (it seems there was then some expresse Law and Canon for it in force; as these forecited) **UT INCIPERETUR A VESPERA, DOMINICA,** quoniam à morte obscura, processimus ad lucem Resurrectionis. **NOS DOMINICAM A VESPERA SABBATI AUSPICAMUR** (so that it was the constant practise of Christians in that age to begin the Lords-day on Saturday at Evening) **QUEMLIBET DIEM A VESPERA COMPUTARE, ET CUM PRÆCEDENTE NOCTE SEU UNUM COPULARE SOLEMUS** (which last word implies a constant Custome in that time) *Sedenim & Moyse vacationem à laboribus in Sabbato ita descripsit, UT ET PRÆCEDENTE NOCTE, ET SEQUENTI DIE OTIUM AGERENT.* Testes do Judeas **QUI USQUE INHODIERNUM DIEM ID OBSERVANT.** Quippe qui non illam noctem quæ Sabbatum subsequitur, **SED illā QUÆ ANTEGREDITUR** cessatione ab operibus quiete colunt. (this therefore was and is the Jewish and Scripture computation) **ET NOS IN OBSERVATIONE DIEI DOMINICI PRÆCEDENTEM NOCTEM TANQUAM CUM DIE COPULATAM, ET NON SEQUENTEM NOCTEM VENERAMUR.** An Evidence so expresse, so punctuall, as may satisfie all the Opposites, and cannot be evaded.

Anno 670.

My eleventh Testimony, is the positive Resolution of an whole Generall Council, and so by consequence, of all Christian Churches in that age; to wit, the sixth Generall Council of Constantinople, *Can. 96. Surius Conciliorum. Tom. 2. p. 1052.* **Dominicis genua flectere à divinis nostris PATRIBUS, Christi Resurrectionem honorantibus, canonicè accepimus** (The first generall Council of Nice, Canon 10. having so decreed:) **Ne ergo hujus observationis evidentiam ignoremus, fidelibus manifestum facimus, QUOD POST VESPERTINUM SACERDOTUM AD ALTARE SABBATO INGRESSUM, EX CONSUETUDINE QUÆ SERVATUR NEMO GENU FLECTIT USQUE AD SEQUENTEM VESPERAM, IN QUÀ POST INGRESSUM IN VESPERTINO SEU COMPLETO-**

RIO, GENUA RURSUS FLECTENTES, DOMINO  
 PRECES OFFERIMUS, *Servator enim nostri Resurrecti-*  
*onis velut praeceptorum NOCTE ad hanc fuit ante Sabba-*  
*tum, accipientes, HYMNIS AB EA SPIRITUALITER*  
*INCIPIMUS. Festum ex tenebris in lucem facientes, ut in perse-*  
*cto at integro DIE AC NOCTE, nos Resurrectionem celebremus.*  
 A most full unanswerable Authority, is a little explained.  
 It was the received Custom of the Primitive Church, as  
 this Canon & all Antiquity witness, to pray standing, not kneeling,  
 all the whole Lords-day in memory of our Saviours Resurrection;  
 & standing up again from the dead: Whence these their Lords-  
 day Exercises were called, \* *Stationes* (a *stando*; in English \* see Tertul-  
*Stations*) because they ever stood, and never kneeled in  
 them. Now this Custom of praying standing, used on-  
 ly on the Lords-day, and between Easter and Ascension  
 day, began and ended with the day. The question then  
 will be, when, and at what time of the day, this praying  
 standing, began and ended? This Canon resolves it in  
 plain terms, (and that by way of Declaration onely, not  
 of new Constitution,) that all the Churches and Chris-  
 tians of this age (*ex consuetudine quae servatur*) even by an  
 ancient long continued Custom received from the Chris-  
 tians and Churches of former ages; and then observed  
 onely, not begun; did alwayes begin to pray standing,  
 after their *Saturday Vespers*, or Evening prayer, were ended, so  
 wit, at the time of the Evening, when the day in diuine  
 and naturall accompt begins) and concluded them after the  
*Lords-day Vespers*, or complein ended, to wit, the Lords-day  
 at Evening, when the Lords-day doth properly and tru-  
 ly end. By which it is most apparent, that they began and  
 ended their Lords-day and Lords-day exercises at Euen-  
 ing, not at morning or Midnight; and that it was the  
 constant custome of all Christians in former ages so to do.  
 Again it assures us, that it was the custome of all Church-  
 es, then, and in foregoing times, to couple the *Saturday*  
*nights*, and the *Lords-day* together, and so solemnize them in  
 memory of Christs Resurrection, as one entire Lords-day; begin-  
 ning and spending at the *Saturday night* with Hymnes and spiri-



small duties. So that this Council is a most clear satisfactory proof both in point of Doctrine and practise, that the Lords-day ought to begin and end at Evening, and was actually so observed by all Christians of this and former ages. I wonder therefore why some, who think themselves learned, should so far forget themselves, as to call it an upstart Novelty, not heard of in the Church till now of late, it being ever the received doctrine and practise too, of all Churches, Christians, till within 70 years last past.

Anno 697.

My twelfth Proof is the famous English Council at Berghamstede, under Witbred King of Kent, An. Christi 697. in Spelman: *Concil. Tom. 1. p. 195. Can. 10, 11. Si In VESPERA precedente diem Solis POST QUAM SOL OCCUBUIT*, aut in *Vespera precedente diem Lune post occasum solis servus ex mandato Domini sui, opus aliquod servile egerit, Dominus facium 80. Solidis luto. Si servus hise diebus itineraverit, Domino pendet 6 solidos, aut flagello cadatur. Si liber homo id faciat, tempore vetito, sit reus Collisrigii multæ: & qui eum deuleat dimidium habeat, tam multæ, tam Wergildi* By which Law it is most evident; that the Lords-day began and ended at Evening after Sun-set; and was to be solemnized from Evening to Evening, without doing any servile work on Sunday nights after sun set, as well as on Saturday nights, though the Lords-day then actually determined. To which I shall adde that of Venerable Beda our learned Countreyman, in his Homily on Matthew 28. verse 1. quoted by Bartholomæus Brixienfis in his Glosse upon Gratian Distinct. 75. *In die ista* (so wit, the Lords-day, *NOC- TES INCIPIUNT PRÆCEDERE DIES, ideo forte ut tres dies & noctes haberi possint, in quibus Dominus fuit in ventre terre, quod nec sic habetur nisi Synecdochie, vel declaratur: quid Missa non decantatur in Sabbato, sed in principio sequentis noctis, & dicitur, Deus qui hanc SACRATISSIMAM NOCTEM, &c. & ita et die Dominica Nox illa.* A Passage so plain for the Lords days beginning on Saturday at Evening, that it needs no glosse, and this was the doctrine and practise of our Nation then.

Anno 726.

My

My thirteenth Authority is the Synod of Franchford, *Anno 793.* under Charles the Great, famous for the Doctrine of Images therein condemned, the 22. Canon whereof (*apud Achutini opera Col. 1893*) resolves our question thus. *De Dies Dominica à vespera usque ad vesperam servetur.* A direct determination of the point in difference. That the Lords-day is to be kept from Evening to Evening.

My fourteenth probation, is the expresse decree of the Emperour Charles the Great himself, and Ludovicus Pius, *Capit. l. 6. Tit. 186 apud Fredericum Lindebricum Cuden Legum Antiquarum p. 168. & apud Bochellum Decret. Ecclesia Gallicana l. 4. Tit. 3. c. 39 p. 589.* *A Vespera usque ad Vesperam Dies Dominicus servetur.* What can be more full and punctual than this Which is seconded *Capit. l. 1. c. 15* as a decree of the Council of Laodicea.

My fifteenth, is *Concilium Foro-Juliense* under the same Charles, c. 13. *apud Surium Tom. 3. p. 266.* *Diem autem Dominicum Inchoante Noctis initio, id est, Vespere Sabbati Quæ in prima luce scilicet Sabbati, quando signum insonuerit, vel Hora est ad Vespertinum celebrandum, non propter honorem Sabbati ultimi, sed propter sanctam illam Noctem primi Sabbati, id est, Dominici Diei, cum omni reverentia & honorifica Religione Venerari omnibus mandamus.* A Canon so apparent for beginning the Lords-day at Evening, that it needs no illustration.

My sixteenth, is the Synod of *Towres* under the same Charles Canon 40. *apud Surium Tom. 3. p. 227.* *Itemque interdicit ne mercata & placita usquam fiant die Dominica, quod oportet omnes christianos à servile opere in laude Dei & gratiarum actione, Usque ad Vesperam perseverare;* which compared with the former Canons, is a direct proof, that the Lords-day begins at Evening, because then the celebration of it by this Canon, is to end.

My seventeenth is the Council of *Mentz*, *Anno 813. re- Anno 813.* corded by *Juo Carnotensis, Decretalium pars 4. c. 16.* which decrees thus. *Omnes Dies Dominicos à Vespere in Vesperam cum omni veneratione & observatione decrevimus observare, & ab illicito opere abstinere, &c.* A pregnant testimony in this point.

Anno 940.

My eighteenth, is that of H Rabanus Maurus, Hamil. de Dominici diebus, in his works at large, Edit. 1616. Tom. 5. p. 605. where he thus resolves this question on my side. *Observeamus ergo diem Dominicam & sanctificemus illum sicut antiquis de sabbato preceptum est, dicente Legislatore, A Vespera usque ad Vesperam celebrabitis sabbata vestra. Videamus ne otium nostrum vanum sit. Vespera Diei Sabbati, usque ad Vesperam Diei Dominici sequestrati à rurali opere & amni negotiis, solo divini cultus vacemus.* To whom I may add his Gostanig Haymo Halberstatis, Homilia in die Paschatis p. 7. 8. who there resolves in punctuall termes, that the Lords-day begins and ends at Evening, not at morning; and so ought to be solemnized from Evening to Evening.

Anno 860.

My nineteenth, is the Councell of Compendium, apud Radulphum Tugrensem, de Canonum observantia, Propositio 15. Bihl. Patrum Tom. 11 p. 445. F. Tom. 14 p. 242. & apud Alexandrum Alsiun, Summa Theologicæ pars 3. Quest. 31. Artic. 2. p. 145. Both these Authors being of the same judgement with this Councell, which decrees thus. *Omnes Dies Dominici à Vespera usque ad Vesperam omni veneratione, devotione observari, &c.* words most direct in point.

Anno 920.

My twentieth, is the Authority of Amalarius Fortunatus, Bishop of Triers, who flourished about the year 920. De Ecclesiasticis officiis, lib. 1 c. 12. Bihl. Patrum Tom. 9. pars 1. p. 311. F. *‘Dominica Nox in magna gloria celebratur, ut liquet omnibus qui morem nostræ Ecclesiæ tenent. Unde Augustinus ex Sermone ad Populum vigiliis Paschæ. Deinde Sabbati Dies à sua nocte incipiens, finitur est vespere incipientis noctis: Quæ pertinet ad initium Diei Dominica, quoniam Eam Dominus suæ Resurrectionis gloria consecravit. Huius itaque Noctis ad initium Diei Dominicae pertinentis, nunc istam solemniter memoriam celebramus.* What can be more plain to testify, that both in the judgement and practise of that age the Lords-day did begin and end at Evening, and that Christ by his Resurrection consecrated this night for his service, not the Morning and day following it onely, excluding it.

Anno 967.

My 21. is the Ecclesiasticall Laws of Edgar and Canutus;

two ancient Kings of this Island, recorded in Lambards Saxon Laws, and in Mr. Fox his book of Martyrs, Edit. 1610. p. 715. & Spelmani Concilia p. 445, 446. who both enacted, 'That the Lords-day should be kept holy from \* Saturday Vespers at three of the clock till Monday morning; beginning the solemnization of it on Saturday Evening at \* 3 of the clock, nor at Midnight or morning \* following, and continuing it till Monday morning; for preventing all prophaneſſe and disorders on our Sunday the clock in his  
 \* following, and continuing it till Monday morning; for <sup>Bishop Alley made it 9. of</sup>  
 preventing all prophaneſſe and disorders on our Sunday the clock in his  
 night, as being more fit to be spent in holy duties, than <sup>poore mans</sup>  
 servile works, or pastimes; it being fitter to give God <sup>Library.</sup>  
 more time than he commands, than to rob him of the least minute. From these Kings reigns, it was the constant custome of this Kingdom for Labourers, servants, & all others, to give over their week day works about Saturday Noon, or 3 of the clock, some space before Evening service, that so they might repair to Evening prayers that day, and after that begin the sanctification of the Lords-day at Evening, as is evident by the statutes of 4.H.4.c.14.6 H.6.c.3. and 23.H.6.c.13. which enact, 'That no Labourers whatsoever, should take any hire for the Festivall dayes, nor for the half dayes for the Evens of Feasts when they do not labour. Which custome hath been observed in some places till of late (within the memory of such who exceed not 50 years) the Saturday being esteemed an half-holy day, and servants recreating themselves upon it a little before night, that so they might avoid all Pastimes on the Lords-day, and keep it holy from Evening to Evening. Which (together with the custome of observing Holy-day Even, because those dayes began at Evening) is a manifest and direct evidence, that the Church of England (till of late some taught the contrary) did begin the Lords-day on Saturday Evening, even from these Kings time, and long before, and therefore should proceed to do so now. The same Law was enacted by William King of Scots. Anno 1203, which was likewise ratified by a Scottish Council, as Hector Boetius lib. 13. de Scotia; & Centurie Magdeburg. Cent. 13. Col. 932. lib. 48. & Col. 788. l. 40. accord. viz. That Sunday should be

Anno 1203.

H 30

kept

kept holy, from Saturday at 3 of the Clock, till Monday Evening; that none should do any worldly businesse thereon, but be employed onely in holy actions, and King Alexander the third of Scotland in a Parliament, An. 1314 decreed, That none should fish in the waters, from Saturday Vespers til Monday morning.

My 22. is the Decree of the Council of Lyons, concerning Holy dayes, recorded by *Juo Carnotensis. Decretalium pars 4. c. 14.* & *Gratian de Consecratione Distinct. 3 fol. 663.* *Pronunciandum est Laicis ut sciant tempora feriandi per annum, scilicet, Omnem Dominicam à Vespera usque ad Vesperam.* Upon which *Bartholomæus Brixienfis.* (on *Gratian's Text*) gives this Glosse: *usque ad Vesperam. Hic habes Quando incipiat Dies secundum Canones; scilicet A VESPERA.* *Gratian, Juo, Panormitan, Hostiensis,* with other Canonists being of the same judgement too. What can be more direct or positive than this?

The 23. Is *Honorius Augustodunensis, de Imagine Mundi, lib. 2 c. 27. de initio & fine dierum, Bibl. Patrum Tom. 12. p. 497.* *R. Christiani Diem Dominicam à Vespera usque in Vesperam finiunt.*

My 24. Is the Synod under *Simon and Galo the Legat, apud Bocheillum, decret. Eccles. Gal. lib. 4. Tit. 7. c. 14. p. 578.* & *Tit. 10. c. 12. p. 595.* *Pronunciandum est Laicis ut sciant tempora feriandi per annum, id est, Omnem Dominicam; à Vespera usque ad Vesperam. Nec aliquis à vespera Diei Sabbati, ad vesperam Diei Dominicæ ad molendina aquarum, nec ad aliqua alia molere audeat.* A full resolution in this Controversie.

My 25. Is *Pope Gregory the ninth, Decretalium lib. 2. Tit. 9. de Feriis. c. 2 p. 595.* Who determines thus. *Omnem Dominicam Vesperam à Vespera usque ad Vesperam feriandum Sanctam Diem Dominicam Ab hora Diei Sabbati Vespertina inchoandam.* It needs no Glosse being so direct.

My 26. Is the Canon of the Synod of *Angiers. Apud Bocheillum Decret. Eccles. l. 4. Tit. 10. p. 14. p. 578.* *Inhibemus molitoribus etiam quibuscunque sub pena interminationis prædictæ, & molendinarum Dominis, Ne ipsi Diebus Dominicis, maxime à vespera Diei Sabbati, usque ad vesperam Diei Dominicæ molendina molire faciant aut permittant,*

non

non obstante longi temporis abusu, qui non usus censendus aut consuetudo, imò verius corruptela, cum tanta sint graviora peccata, quanto diutius infelicem animam detinuerant obligatam, cum aliqua prescriptio contra precepta decalogi locum sibi vindicare non possit. A direct evidence.

My 27. is a domestick Provinciall Constitution under Anno 1310. Simon Isleep Archbishop of Canterbury recorded by Lindwood, Constit. Provincialium l. 2. Tit. de Feriis fol. 74. B. And by Joannis de Aton: fol. 148. a. In primis sacrum diem Dominicum ab hora vespertina Diei Sabbati inchoandum. which needs no other Glosse but Lindwoods, who thence concludes, That the Lords-day ever begins at Evening: the constant ancient Doctrine of our Church:

My 28. is an ancient English Dialogue upon the Commandements, intituled Dives & Pauper, first Printed Anno 1496, and after reprinted by Thomas Bertbelet the Kings Printer, Anno 1536.. Which Book on the third (our fourth) Commandement ch. 14. f. 132. & c. 6. f. 115. demanding this Question, How long ought the Holy day to be kept and ballowed? resolves it thus, From Even to Even; as Raymundus, saith; and the Law. (Extrav. l. 5. Tit. de Feriis. Omnes dies) We have ordained that all Sundayes be kept with all manner of worship, From Even to Even; and holy Writ saith also, and God himself: From Even to Even shall you celebrate the Sabbaths.

My 29. is an old English Treatise intituled, The Flower of the Commandements of God, Printed at London, by Wynkin de Ward, Anno 1521. ch. 3. on the third (our fourth) Commandement, f. 31. 32. Which thus determines. Nothing is to be done on the Sunday, but to be besied towards God, him for to Honour. Question, Who so should demand, At what houre a man should begin to celebrate the Feasts. The Answer, Regularly, men say, that from the one Even son unto the other Even-son the Chyrk make solemnity. It is written. Extrav. de Feriis, & de consecratione distinct. 1. cap. Missa; Omnes dies Dominicos à vespera in vesperam decernimus observari. In like wise, saith the Scripture, in many places: à vespera ad vesperam celebrabitis Sabbata vestra. This scripture reprooveth the



the folly of some simple men; the which reputeth not to be sin to labour and work late on the Saturday at night, and weeneth that it is sin, to work early on the Monday in the Morning. These two last authorities I have cited at large, because they are particular, the books unknown to most; and fully manifest the Doctrine and practise of the Church of England in that and former ages, to be fully consonant to my opinion; though now out of ignorance of Antiquity, reputed a strange, unheard of Novelty, by some who reputed themselves no mean Rabbies, and scorn the Title of Ignoramus, whereas with they upbraid all Lawyers, though more knowing, more learned, than many of themselves.

From Anno  
1100. to 1620.

30. To these I could have added sundry others; but to avoid prolixity, I shall onely remember the names and works of some late Authors, from Anno 1100. till this present, who expressly resolve. That the Lord's-day begins and concludes at Evening. Not to mention *Juo Carnotensis*, *Alexander Alensis*, *Radulphus Tungrensis*, *Bartholomaeus Brixienfis*, *Joannis de Thier*, *Antonius de Brutis*, *Gulielmus Lindwood*, *Joannis de Aton*, *Laurentius Surjus*, or *Laurentius Bocheffus*, who all concur in this opinion in their forenamed works, where the precedent Canons and Decrees are registered; I shall onely refer you to *Thomas Aquinas* in 2. Sentent. Distinct. 37. Art. 5. Distinct. 11. qu. 2. Art. 2. qu. 3. ad 2<sup>m</sup> 2<sup>a</sup> secunde. qu. 122. art. 4. *Tostatus Abudensis* in in Exod. c. 20. qu. 12. *Hofstiensis* sum. l. 2. Tit. de Feriis fol. 142. *Joannis de Burgo* (Chancellor of Cambridge in Henry the sixth his reign) *Papilla oculi* pars 9. c. 6. de Feriis B. E. *Baptista Trammilla* in his *Summa Rosella Tit. Ferie* sect. 2. 5. *Angelus de Crodasio*, in his *Summa Angelica Tit. Dies* sect. 1. *Curvatorius* l. 4. c. 19. Tom. 2. with all other Canonists in the titles *De Ferie*, & *Diebus Festis*, who all resolve in these very positive terms. *Abstinentia est ab operibus omni die Dominica*, *Ab Hora Diei Sabbati vespertina inchoando, non ipsam Horam praevertendo. Quod feriacionem diei Sabbati tenere debemus, a vespere ad vespem, scilicet ab ultima parte diei praecedentis vigilia, Quod dies quod celebrationem dominicam consideratur de vespere in vespem*: and That  
the

the whole day is to be wholly dedicated to God, and spent in his Service and Worship. Which resolution is likewise seconded by *Fridericus Lindebrogus* in his *Glossarium: in Cod: Legum Antiquarum*. Tit. *Dominicus dies*, by learned *Hospius de origine Festorum*. fol. 31. 68, 69, 70. 161, 162. by Mr. *Sprint* in his *Treatise of the Sabbath*, with sundry others: Wherefore I shall close up these authorities with that of *Jacobus de Grassis*, *Decisionum aurearum casuum Conscientie*, Paris 2. lib. 2. c. 13. *De Diebus Festis*, sect. 8, 9, 10. p. 136, 137. *Qua ad feriacionem INCIPIT DIES VESPERA PRÆCEDENTI, ET FINITUR IN SEQUENTI VESPERA, &c. Igitur SECUNDUM SCRIPTURAM ET ECCLESIAM FESTUM INCIPIT IMMEDIATE POST OCCASUM SOLIS DIEI PRÆCEDENTIS USQUE AD OCCASUM SOLIS DIEI FESTI: Igitur ex his colligitur, QUOD NULLA CONSUEITUDO POTEST EXCUSARE LABORANTES SABBATO POST OCCASUM, vel in praeceptis solemnitatibus, CUM FIAT CONTRA JUS DIVINUM.* For which he quotes *Pisanus*, verbo *Ferie*, as concurring with him. From all which expresse concurring authorities (which none ever contradicted before *Wolpius*, for ought that can be proved) to which I might subjoin the opinions and practise of Mr. *Cotton*, Mr. *Hooker*, with sundry other Ministers and Churches in New England; I hope I may safely conclude; That the Church and people of God, together with the Fathers, Councils, and learned of all ages, from the very first institution of the Lords day, to this present, have constantly resolved, both by their Writings and practise too, that the Lords-day doth, and ought of right to begin and end at Evening; not at Morning or Midnight, and that all former ages have thus constantly solemnized it; as all these severall Testimonies clearly manifest, beyond all contradiction or dispute.

I have now (I hope) by all the premises sufficiently proved the truth of this Position; That, the Sabbath and Lords-day doth and ought of right to begin and end at Evening, not at Morning or Midnight; and manifested

a See Histrio-  
mastix p. 643,  
644. and the  
Table.

it to be the resolved Doctrine and constant practise of all former age. There is nothing now remaining but that I should answer those Pretences or Objections, which are or may be made against it; and take off one Cavill which may be made against some of the premises: when this is dispatched, the truth will be most perspicuous, so that none can further doubt or question it, (as I suppose) for the future.

The Arguments produced for the proof of the adverse opinions; (or rather onely for one of them, to wit, that the Lords-day begins and ends at morning) are six; which I shall answer in order.

**Objection 1.**

a See Wolphi-  
us, Chronolog.  
l. 2. c. 1. Dr.  
Bound of the  
Sabbath, l. 2 p.  
46. with others

The first of them is this. That what the Law of nature settled for a time, to wit, that the Sabbath and other dayes should begin at Evening, <sup>a</sup> that *Christs Resurrection*, a part of his Redemption, bath now changed to the morning; the work of redemption being far more excellent than the work of Creation. Which if we reduce to a Logically Argument is but this. Christs Resurrection a part of his Redemption, is more excellent than the work of Creation, Ergo it changed the beginning of the Lords day and by consequence of all other dayes, from Evening to Morning.

To which I answer, 1. It is very dangerous, unsafe for any mortals for any mortals to make comparisons between the glorious works, actions, attributes, and ordinances of Almighty God, and to prefer one of them so highly before the other (as many do) without an expresse warrant from God himself in his word, which hath been the cause of many <sup>a</sup> grosse errors and practises amongst Christians. I grant the work of Christs Redemption is a most glorious work and signal testimony of Gods transcendent love to the world of Gods elect and redeemed ones, *John 3. 16. Rom. 5. 8. Ephes. 2. 4, 5. c. 5. 2. 25. 2 Thes. 2. 16. Rev. 1. 5.* But was not his creating of us, in belynesse and righteousness after his own image and likeness, as transcendent

a Hence Aquinas prima secundae, Quest. 200. Artic. 5. ad secundum. concludes, Inter omnia beneficia Dei commemoranda PRIMUM

ET PRÆCIPUUM EST BENEFICIUM CREATIONIS, quod commemoratur in sanctificatione Sabbati, unde Exod. 20. 11. PRO RATIONE QUARTI PRÆCEPTI PONITUR: with which [3. Synod Parisiensis, Anno 1557. apud Robertum Bellum, Decret. Eccles. Gall. p. 589, concurrens, and Chrysostome Ham. 4. super Mattheum,

an act of love as this, Gen. 1. 26, 27. Psal. 8. No doubt it is.

2. That no Scripture, (to my best observation) prefers or advanceth the work of Redemption (much lesse our Saviours Resurrection from the dead on the first day; being but one part or branch thereof) before the work of Creation; both these works being very great and glorious in themselves; wherefore I cannot believe the work of Redemption, or Christs Resurrection alone, to be more excellent and glorious than the work of Creation, without sufficient Texts, and Scripture grounds to prove it; but may deny it as a presumptuous fancy or unsound assertion, till satisfactorily proved, as well as peremptorily averred without proof.

3. If such comparisons may be admitted, or made without presumption, in my apprehension, Gen. 1. and 2. compared with Psalm 8. Psalm 104. Psalm 19. 1. 2, 9. Psalm 95. 6, 7. Psalm 100. 1, 2, 3, 4. Psalm 148. Job 36. and 39. Eccles. 12. 1. 1. Isa. 37. 16. c. 40. 28. c. 43. 1. c. 44. 4. c. 45. 12. 18. c. 51. 13. Jer. 10. 11, 12. c. 14. 22. c. 27. 5. c. 32. 17, 18, 19. c. 51. 15, 16. Jonah 1. 9. John 1. 3. 10. Acts 2. 24. c. 14. 15. c. 17. 24, 25, 26. Rom. 1. 19, 20. Col. 1. 16, 17, 18. Heb. 1. 1, 2. 1 Pet. 4. 19. Rev. 4. 11. cap. 10, 6. and the fourth Commandment it self, Exod. 20. 8, 10. seem to prefer the work of Creation before the work of Redemption, as most of all manifesting, declaring, magnifying the infinite power, wisdom, greatness, glory, majesty, providence, bounty, sovereignty, Deity of God; and as the strongest motive and obligation to all his Creatures (and redeemed Saints likewise) to adore, worship, love, fear, serve, reverence, obey God as their Creator, and to depend, rest, trust, commit themselves to him alone.

4. These reasons seem to advance the work of Creation before the work of Redemption.

First, it is the First and most ancient of all Gods visible works, Gen. 1. 1. Deut. 4. 32. Mark 13. 19. Rev. 3. 14. 2 Pet. 3. 4. far antienter than Christs Resurrection or work of Redemption. And that which is Antientest, is usually best and honourablest, Psal. 77. 5. Isa. 3. 2. c. 9. 15. c. 44. 7. c. 24. 23. c. 51. 19. Jer. 18. 15. Dan. 7. 9. 13. 22. John 1. 2, 3. 1 Kings 12. 6. Jer. 6. 16. Acts 22. 16. 1 Joh. 2. 7. Rev. 3. 14.

Secondly, the work of <sup>a</sup> Creation is the very greatest of all Gods works, and more universall generall, extensive, than the work of Redemption: extending to all the Glorious angels, Sun, Moon, Starres, Heavens, Aire, Earth, Sea, with all the severall creatures in them; whatsoever and to all mankind. Gen. 1. and 2. Psalm 8 3. Psalm 104. Psalm 148. 4. 5. 6. Isa. 40. 26. c. 42. 5. c. 45. 12, 18. John 1. 3. Ephes. 3. 9. Col. 1. 14. Rev. 4. 11. c. 10. 6. yea, to Jesus Christ himself, styled; the beginning of the Creation of God. Rev. 3. 14. Therefore, more excellent, greater, gloricus than the work of Redemption, peculiar onely to Gods elect, the smallest part of men; not universall to all Mankind; much lesse to Angels, and all other Creatures: Now it is a received Maxime in Divinity, Morality, Policy, Reason; Bonum quo communius, eo melius. See Psalm 145. 9, 10, 14, 15, 16. whence Philo the Jew; de Opificio Mundi, styles the Sabbath in memory of it; Festum non unius populi Regionisve, sed in universum omnium: que sola digna est ut dicatur Popularis Festivitas.

Thirdly, God himself created all things at first, very good, perfect, pure, excellent; and man himself after his own image, in Holinesse, true Righteousnesse, Integrity, Perfection, without Sinne, Corruption, Imperfection or obliquity, Gen. 1. 18, 25. to the end. c. 5. 1. c. 9. 6. Eccles. 7. 27. 1 Cor. 11. 7. Ephes. 4. 24. Col. 3. 10. Man being depraved, corrupted by Adams sin and fall, which brought a curse upon Mankind and all other creatures too: Christs Redemption, though it hath freed all his Elected, called, justified, sanctified ones from Hell, death and damnation, the condemning, ruling power of sin, and curse of the Law; y<sup>t</sup> it hath not redeemed them (much lesse the generality of mankind and other Creatures) from the pollution, corruption of Sinne, lust and all those temporall miseries, curses, plagues, Judgements, imperfections in this life, which sinne hath brought upon them: nor yet restored them to such a glorious, happy, perfect condition here, as that wherein man was first created: the best of Saints on earth, having many remainders of sinne, corruptions, defects and infirmities in them till they come to heaven, 1 Kings 8. 46. Eccles. 7. 20. Rom. 7. 7. to the end, James

3.2.1 John 1.8,10.c.2.1.2. Therefore in this respect, the work of Creation excels that of Redemption, in relation to all the creatures corrupted, viti<sup>ed</sup> by mans fall, and of the redeemed them<sup>selves</sup>, whilst they continue on earth, and have cause to celebrate Sabbaths and Lords-Days, to sanctifie and make them holier.

4. Some of the creatures, as the *Angels, Christ himself, as man* and a creature, (if not the *Sun, Moon, Stars, heavens*) the works of Gods creation; are more excellent and glorious than man, or any Saints on earth, the subject of Christs Redemption, Psalm 8. Heb. 1. Rev. 3. 14. 2 Thess. 1. 7. Psalm 103. 20. Mat. 25. 31. Heb. 2. 7, 9. c. 12. 22. Rev. 14. 10. Luke 20. 36. compared together. Therefore the work of Creation is more excellent than that of Redemption.

Fifthly, without the work of Creation, there could be no work of redemption; the chief end whereof is to restore us to that felicity, <sup>a</sup> *Happinesse in the enjoyment of a see Philo* God and his creatures, which man in his innocency, (had he perse- *Judeus de* vered in that estate) should have enjoyed by the work of creation. *opificio mundi.* Therefore the work of Creation is at least as excellent as glorious, as the work of redemption, if not more eminent than it.

Sixthly, the excellency and glory of the work of redemption consists principally in this, that it was wrought by Jesus Christ himself, the onely beloved Sonne of God Luke 1. 6. 8. 99. Rev. 3. 24. Gal. 3. 17. Col. 1. 14. Heb. 9. 12. 1 Pet. 1. 18, 19. Rev. 5. 9. But this cannot advance it above the work of creation; God created all things by Jesus Christ (as well as redeemed his elect) Ephes. 3. 9. Col. 1. 16. and that onely as he was God, and the word, Heb. 1. 2. John 1. 1. 2. 3. Gen. 1. 1, 3, 26. not as God and man.

Seventhly all accord, that it is a work of <sup>b</sup> greater excellency, omnipotency, power, love, to create and make all things out of nothing, then to repair, restore, rectifie things already created when depraved, defiled, captivated or impaired. See Basil and Ambrose in their Hexamérons, most Commentators on Gen. 1. and Isa. 45. 5. to 20. c. 40. 48. Re. 4. 11. Acts 17. 24. Heb. 3. 4. Therefore I may safer conclude, that the work of Creation

*b* Magis præcipitur observatio salutis quam aliarum sollemnium, quia beneficium creationis in hoc commemoratur.  
QVOD EST PRÆCIPIUM INTER PRÆIERITA Angelus de Clavasio in summa Angelica. Tit. Præceptum scilicet. 6.



See Zanchius  
de operibus  
creationis lib.

tion is <sup>c</sup> greater and more excellent than the work of Redemption, from these Texts and Reasons; then my Antagonists averre the work of Redemption to transcend the work of Creation in excellency and greatness, without Scriptures or solid reasons grounded on it.

5. Admit the whole work of Redemption wrought by Christ, to be better, greater, excellenter than the work of Creation: Yet none can prove or demonstrate, that Christs Resurrection (one part onely of his work of redemption, on the first day of the week) is greater than the whole work of Creation. Therefore they cannot conclude from it alone, that this his bare Resurrection should alter the beginning, end, limits, nature of times, and dayes, settled by God at the very Creation; as they here argue.

6. Admit Christs Resurrection and work of Redemption, to be greater, better, excellenter than Gods work of Creation, (which I deny) will it thence follow; Ergo it altered the work of Creation; the cause of Sunne, Moon, Starres, Dayes, weeks, years; the beginning and end of the Sabbath, or first day of the week, and by consequence of all other dayes and times settled by God himself at the Creation by an unalterable Law? Gen. 1. 5. 8. to 20. 23. 21. c. 2. 2, 3. Exod. 20. 8. to 12. Psalm 148. 5, 6. Eccl. 3. 14. Jer. 31. 35, 36. c. 33. 20, 21. 2 Pe. 3. 14. Certainly all these Texts with others forecited, resolve, and experience proves the contrary, the dayes, weeks, months, morning, Evening, course of Sunne, Moon, and Starres, being still the same they were from the Creation till this present; and every thing or action that is greater, better than another, not abrogating or altering their course or limits which God or men had formerly settled.

7. The ends of Christs Resurrection and Redemption were merely spirituall, to redeem, justifie, raise up from sinne, from the dead, and advance to heaven at last, all those whom Christ redeemed, John 5. 29. c. 11. 25. Rom. 1. 4. Rom. 5. 5. to 16. 1 Cor. 15. throughout; Phil. 3. 10. 11. 1 Pet. 1. 1. 3. c. 21. Rev. 20. 5. 6. Rom. 4. 24, 25. c. 8. 11. 2 Cor.

4. 14. *Ephes. 2. 6.* Not to alter the beginning or ending of dayes, times, seasons: not one of all these Texts (nor any other speaking of Christs Resurrection, and the ends or benefits thereof) asserting, importing, much lesse resolving any thing: Therefore it did not, could not alter the beginning or limits of the first day, either as a naturall, or as his Resurrection day, as these Writers averre.

8. Christs Passion, a bloodshed, was the principall part of his *Redemption*, yea his Nativity, Ascension (to omit his whole life on earth, and perpetuall mediation in heaven for us) were parts thereof; the one the first part, the other the last of all: But it is clear that our Saviours Passion and bloodshed in the Evening, (though it were the chiefest part of his *Redemption*) made no alteration in the beginning or end of dayes, so as to change the beginning of *Goodfriday* from Evening before to three of the clock in the afternoon; that his Nativity (about Midnight) or his Ascension (about Noon or eleven of the clock in the morning, as is most probable) did not transmute the beginning of those dayes, or any other, to Midnight, Noon, or Morning, though they were the first and last parts of his work of *Redemption*; why then should his Resurrection onely in the Morning (a lesse principall part of his work, than his Passion, or perchance than his Nativity or Ascension; the one of which preceded the other followed his Resurrection) make such a change in dayes beginnings, when neither of these three other did so? If it be because it was a part of Christs *Redemption*. So were the other three, and yet they produced no such mutation; and why a part of Christs *Redemption* should cause such an alteration, onely because it is a part: or why one inferior part of it alone, should do it, and not the chiefest; why the intermediate, not the first, or last part of it, transcends my apprehension. If it be because God ordained it should effect such a transmutation, then shew me expresse Scripture for it, (as none can do) or else reject it for a groundlesse fancy, as in truth it is, But  
more

*2 Isa. 53.*  
*Rom. 3. 25. 6. 3.*  
*9. 4. 25. Eph.*  
*1. 5. c. 2. 13.*  
*Col. 1. 20, 21, 22*  
*Heb. 9. 7. 10. 26.*  
*c. 10. 10. c. 13.*  
*24. c. 13. c. 13.*  
*11, 12. 1. Pet. 1.*  
*2, 18. 19. John*  
*17. Rom. 5. 9.*

more of this in the Answer to the next Objection.

*Objection 2.* The second Objection is this, Christs Resurrection on the first day of the week in the morning, did actually change the beginning of the day from Evening to morning, and constitute the Lords-day to begin at morning. Therefore it ought to begin at morning. If we cast this into a formall Argument, it will be more perspicuous. Christs Resurrection, the cause of the Lords-day, was not till the morning, Ergo the Lords-day must not begin till morning, because the effect must needs be with or subsequent to the cause, and cannot precede it; whereas the effect should over-reach the cause in point of time, if the Lords-day should begin at Evening, Christs Resurrection beginning not till the morning. This reason and argument is the main foundation whereon the Opposites build their error; wherefore I shall be more copious in discovering the sandiness, falshood, and fallaciousness of it.

*Answer 1.*

First therefore, I answer, that this whole Argument, is but a chain of severall grosse falshoods and mistakes, contrary to the Scriptures: I wonder therefore why so many grave, judicious men should be ensnared by it.

1. The first of them (the ground work of all the rest, and of this error concerning the Lords-day beginning at morning is this, *That Christs Resurrection did alter the beginning of that first day of the week, whereon he arose, from Evening to Morning*: which I have manifested to be an apparent Error contrary to the Scriptures; which testify that that day began at Evening, and that Christs Resurrection did nothing alter it; as the third and fifth preceding Conclusions prove at large. Wherefore I shall here demand of the Objectors, how it appears that Christs Resurrection made such a change as they pretend? If by Scripture, shew one Text, that necessarily proves it: this I am sure they cannot do. If not by Scripture: then it is a meere groundlesse conceit of their own forging. Yea, but though they want Scripture, yet they have this sound reason to prove it: Christ rose again upon the first morning

ning; therefore he translated the beginning of it from Evening to morning. To which I reply, that this main Capitall reason is but a grosse Inconsequent, and a circular Argumentation; For if the Argument be denyed, as justly it may be; then they prove it by that very medium which was next before denyed, and they ought to make good; that Christs Resurrection did change the day from morning to Evening (there being no other medium but this to confirm it) therefore if he rose again upon it in the morning, he made such a change as they pretend. So that this their reason is but *Idem per Idem*, a *Petitio principii* a Circular dispute, a grosse *Non sequitur*, and so to be rejected as false and idle. But yet a little more to lay open the falshood of this Proposition; That Christs Resurrection made such an alteration of that first dayes beginning (which hath neither Scripture nor Reason to back it.)

I would first demand this Question of them. Why Christs Resurrection should produce such a Change, when as his Nativity, Passion and Ascension, (parts of his Redemption too, as beneficiall to Christians as his Resurrection) had no such effect?

2. How they come to know, that such a Change was de facto made, when no Scripture reveals or intimates it?

3. How was it possible for Christs Resurrection to call back and aduul that beginning of the day, which was irrevocably past, and gone before it happened? since by thir own Rule, the effect cannot precede the cause; and so by the same Reason, Christs Resurrection in the morning could not operate *a parte ante*, to change the beginning of that day, which was actually past at Evening.

4. Where they did ever read, that occasions happening upon any dayes, did alter or bound out the beginning and end of dayes? the dayes ever bounding out the occasions (which we say happened upon such a day and houre) not the occasions the dayes?

5. How Christs Resurrection could change this dayes beginning, when as it altered not its name, nature or order

der, (it being still the first day of the week, as it was at the Creation, the week remaining yet the same) and seeing it made no change in the course of the Sun, and Moon, of day, and night, which rule bound out, and make up the naturall day?

6. How that which hath no limits of its own, but that which it had from the day on which it happened, (the first dayes morning being that which limited the Resurrection in point of time, and reduced it to a certainty) can possibly put bounds of time unto the day, which bounds out? If they cannot resolve all these, Queries they must then disclaim this main fundamentall Conclusion, upon which they build their false grounded Error, as I have formerly proved. This is the first falshood.

The second is this; That Christs Resurrection was the cause of the Lords-day. This I say, is both a falshood and a fallacy. To make it more evidently so, we must consider the Lords-day, either as a naturall day, consisting of 24. hours, measured out by the Sunne or *primus arbiſtr*, and made up of the night and artificiall day: or as a Lords-day; that is, a day devoted and sequestred unto Gods immediate worship. If we consider it materially, or utterly as a day, it is clear, that Christs Resurrection was no cause of the first day; for that was instituted by God at the Creation, Gen. 1. 5. who then appointed the Sunne, Moon, and Stars to rule, link, govern both the day and night, and to be the sole causes of them; Gen. 1. 14. to 22. Psalm 74. 16, 17. Psalm 136. 6, 7, 8. Psal. 104. 19. Jer. 31. 35, 36. & 33. 20. Neither could Christs Resurrection be the cause of that day on which he arose; for it was begun before he rose again; and it had been and continued a day, though he had never risen on it; therefore it was no cause of it as a day. Besides, all time is the measure of motion, and so the motion of the *Primus mobile* the alone cause of it; and of this day too. Christs Resurrection therefore being no cause of the Lords-day, as a day, could not alter the beginning of it in such manner as is pretended; since the Lords-day hath no bounds or limits,

miss, beginning or end, neither is it properly a part of time, but only as it is a day, not as a Lords-day. Wherefore when you affirm that Christs Resurrection was the cause of the Lords-day, & therefore it changed the beginning of it; your meaning is and must be, that it was the cause of it, and that it changed the beginning thereof, as it was a naturall day (the change here relating only to the time and limits of the day, not simply to the quality, so it is a Lords-day, it having no limits at all, as it is a Lords-day, but merely as it is a naturall day;) which is a grosse untruth, as I have proved, yea a fallacy too, in applying that to this day, as a day, which is spoken only and intended of it, merely as a Lords-day. To illustrate this by an example. The first day of the week, is like to water in Baptisme, to Bread and Wine in the Sacrament, to a Church that is consecrated, or to one about to enter into Orders: Now as we use to say, that Baptisme doth change the water, the Sacramentall consecration the bread and wine, Consecration Canonically the Church, and ordination the man; if we mean they change their very nature, essence and substance, the speech is merely false; for they continue in nature, in substance, the same they were before; if we intend they only alter their use, which is true, and yet apply this alteration to the substance (as the Papists do in case of the Sacrament, arguing thus; the Fathers say, that the Bread and Wine are changed after Consecration, to wit, in their use only; Ergo they are transubstantiated and changed in their substance;) then it is but a fallacy or equivocation which being explained proves but a mere *Non sequitur*, since the change in the use or quality only, infer no necessary alteration in the substance. So when the Objectors say, that Christs Resurrection did change the first day of the week; if they mean only that it was the occasion why the use of it was altered from a common day to an holy day: or when they affirm, that Christs Resurrection was the cause of the Lords day, that is, the cause why the first day was and is solemnized as a Lords-day: their

*a Christs Resurrection is no more the cause of the Lords-day as a day; then Baptisme is the cause of the sacramentall water, as water; or Christs consecration of the sacramentall bread and wine the cause of them as they are bread and wine; or the Ordination of Ministers, the cause of them as they are men.*



words are true in this sense onely; but then they neither prove nor imply any change at all in the limits; beginning or end of the first day, or in the day it self, but in its use alone; and so the day continues the same in all these respects, as it was before. But when they go thus far, as to prove that Christs Resurrection on it did alter the very beginning and end, (and so the nature and limits) of the day, because it was the occasion of altering its use (which is the thing they intend in both these Propositions) then the Argumentation is sophisticall, and the Conclusion this grosse inconsequent; Christs Resurrection was the cause of turning the first day of the week into the Lords-day. Ergo, it translated the beginning of that day from morning to Evening. An Argument so absurd, that the Objectors may now do well to blush at it. Again, if we consider this day onely, as it is a Lords-day, (that is, as a time consecrated to Gods publick worship) if the Objectors intend by this Proposition (Christs Resurrection in the morning was the cause of the Lords-day) that is, it did actually consecrate that very first day, whereon he arose; and all others succeeding it, for a Lords-day, even that very morning on which he arose again, as in truth they do; then I say it seems to me in apparent untruth. For though it be true that his Resurrection on that day, was one generall originall occasion of solemnizing it for the Lords-day; yet it is untrue that his bare Resurrection onely was the immediate efficient, constitutive cause of sanctifying it for a Sabbath or Lords-day; or that it did sanctifie that very day on which Christ arose for a Sabbath or Lords-day, even at that very time of the morning when he arose.

For first, Gods resting from his work of Creation on the seventh day, is parallel in reason with Christs Resurrection on the first day, in point of constituting either of them for a Sabbath or Holy day, as all acknowledge. But Gods resting on the seventh day, was onely the originall Impulsive, not the immediate efficient, constitutive cause of the seventh day Sabbath; for it was not

a Sabbath as soon as God began to rest, or only because he rested on it; but because he blessed and consecrated it for a Sabbath, and commanded Adam and his posterity to sanctifie it for a Sabbath, as is clear by Gen. 2. 2, 3. Exod. 20. 7. 10. 12. for he sanctified it for a Sabbath, because he had rested on it: so that his rest was onely the occasion why this day was consecrated for a Sabbath, rather than any of the other six; but that which made it a Sabbath, was Gods peculiar blessing, consecration, and institution of it for a Sabbath. So Gods passing over the Israelites, and slaying the Egyptians, was the occasion why the 14. day of the first Moneth was solemnized for a Passover-day: but that which constituted it to be such a day, was not his passing over the Israelites, but his expresse command to them to observe it throughout all their generations. Exod. 12. 4. 10. 40. The Jews deliverance from Haman and their other Enemies, was the cause or reason, why they annually observed the fourteenth and fifteenth dayes of the Month Adar, as solemn Festivals; and the deliverance from the Gunpowder-Treason, the occasion why we observe the fifth of November, as an annual Festival (which Feast we generally begin at Evening, since we then usually begin to ring our bells in memory of our deliverance the morning following) but the immediate efficient constituting cause of these dayes, for Holy-dayes, was neither the Jews deliverance, nor ours; but the Law and ordinance of the Jews, Esth. 9. 20. 29. and the Statute of 3 Jacobi c. v. which ordained those dayes to be solemnized and kept holy. So it is in all other dayes solemnities whatsoever, was the occasion of their celebration, but the authority and command to sanctifie them is that which constitutes them Holy-dayes; therefore by the self same reason, Christ his Resurrection was onely the occasion why the Lords day was afterwards sanctified and observed; but that which constituted and made it a Lords-day or Christian Sabbath, was some Precept or Ordinance of Christ, or his Apostles, or of the Primitive Church, without which it had not been actually a Lords-day or Sabbath in point of sanctification, though Christ did rise upon it.

Exod. 12. 4. 10. 40.  
 Esth. 9. 20, 21, &c.  
 1 See 3 Jacobi c. v.

b See 5, & 6.  
 Ed. 6. c. 3. All  
 Lawes and  
 Canons touch-  
 ing Lords-day,  
 Holy-dayes,  
 and Thankgi-  
 ving dayes, and  
 the Canons  
 of the First  
 Council of  
 Nicaea.

2. If Christs bare Resurrection without more Ceremony, did actually consecrate that very first day on which he arose, and all others for a Sabbath or Lords day, what need then those many large Discourses of Divines, concerning the time when, the persons by, whom, or the Authority by which the Sabbath was translated from the seventh day to the first, or this instituted for a Lords day? Certainly if the very Resurrection of Christ did actually perform all this, that very morning on which he arose, all these disputes were at an end. But few or none have been so absurd as to make Christs bare Resurrection the immediate constituting cause of the first day for a Sabbath or Lords day, much less of that very day upon which Christ arose, which all the

a See Mar. 16.  
 1. Mat. 16.  
 2, 9. Luk. 24. 1.  
 Joh. 20. 1, 19.

Evangelists stile, the first day of the week, Even as it was Christs Resurrection day; which shews, that it was not then actually constituted for a Sabbath or Lords day, but continued an ordinary week day, as before. Therefore it is not probable that it made such a change or consecration of that very day.

3. None of the Evangelists in their Histories of Christs Resurrection, make mention either in direct terms, or by way of necessary Inference, that our Saviours bare Resurrection consecrated that very first day whereon he arose, or any succeeding it, for a Sabbath or Lords day; much less that it changed the beginning thereof from morning to Evening. Therefore certainly no such alteration as is surmised, was actually effected by it.

b Mat. 28. 19.  
 Mar. 16. 11, 13.  
 14. Luk. 24.  
 21, 22, 25, 26.  
 27, 28, 29. Joh.  
 20. 19, 26, 28.  
 16. 1. Cor. 15.  
 4. 10 g.

4. Had Christs Resurrection actually constituted that day on which he arose, and all other first days ensuing for a Sabbath or Lords day, without further Ceremony, even on that day when he arose; then that day had been consecrated for a Sabbath or Lords day, and the seventh day Sabbath had been translated to it, before any man did or could take notice of this alteration; before any knew this day was instituted for a Sabbath or Lords day; yea, before it was known or believed that Christ was risen again, to or by his Disciples. For the Scripture is expresse, that he appeared not unto them till towards the Evening of that day;

day; at which time Thomas was absent, and some of them doubted, whether he were risen again, or whether it was he or no: so that it is certain, they observed not that first day, as a Sabbath or Lords-day, in memory of his Resurrection. But it is altogether improbable, that Christ would consecrate that day for a Sabbath or Lords-day, before his Disciples or any other knew of it; or that he would make an alteration of the Sabbath, (which so much concerned the Apostles and Church) in private, without their presence or privy: or that he would consecrate that day for a Sabbath or Lords-day, in memory of his Resurrection, before it was certainly known that he was risen; or before he had shewed himself to his Disciples after he was risen; or before any did know it to be a Lords-day or Sabbath. *It being made so only for men.* Mar. 2. 27. not for Christ himself, or Angels, who were only present with him when he arose. For Christ being only wise, did all things in the finest season, and in a publick manner, in the presence of his disciples, who were to be witnesses of all his actions, speeches, &c. *John 1. 1, 3, 7. 1 Pet. 1. 16, 17, 20. Luke 1. 2.* Therefore he would not, he did not institute that very day whereon he arose for a Sabbath or Lords-day, at the time when he arose, which the Evangelists certainly would have mentioned (being a matter of such moment to the Church and Christians) had it been done in truth, as pretended only, but not proved, or *either in truth or be.* If therefore the Objectors affirm, that Christs Resurrection was the cause of the Lords-day as a Lords-day; that is, an immediate constituting cause of it, and that at the very moment when he arose, then it is a palpable untruth, as the premises manifest. If they mean by such, only the impulsive cause or original occasion of its future consecration or institution for a Sabbath or Lords-day, then their Argument is but this: Christs Resurrection (the occasion of Christians solemnizing the Lords-day, as a Lords-day or Sabbath) was in the morning; Ergo the Lords-day must begin at morning: which is but

b. John 2. 4. 2.  
12. 23. 5. 13. 1.  
6. 17. 1. 1 Tim.  
6. 15. Rom. 5. 6.  
Gal. 2. 4. 2. 4.

a meere *Non sequitur*; because the occasions of sanctifying any dayes for Sabbaths or Holy-dayes, do not bound out the beginning or end of the dayes, for then these dayes must begin and conclude when the occasions of their solemnization do; But on the contrary, the dayes do ever limit the occasions and Festivalls, which must begin and end with the dayes to which they are confined. This I shall make manifest by examples, and make good by unanswerable reasons. For Examples, we have all the Festivalls in Scripture, which together with their occasions, are restrained to the bounds of dayes, not the limits of dayes to them. To instance in particulars, When God himself instituted the seventh day for a Sabbath, because on it he had rested from all his works of Creation; he confined the Sabbath and his rest, to the seventh day, not the seventh day to it; blessing the seventh day and hallowing it, not changing the beginning, ending, limits, or order of it in the week, but the use, Gen. 2. 2, 3. Exod. 20. 7. to 12. When God instituted the fourteenth day of the Month Abib, for a Passover day, in memory of his passing over the Israelites, and slaying the Egyptians at Midnight, he ordained that Feast to begin at Evening, because the day to which this Festivall was confined, did then begin; not at Midnight, when the occasion of its solemnization happened, Exod. 12. 4, 5, 12, 13, 16, 17, 18, 19, 20, 21. Lev. 23. 5. Numb. 9. 11. Deut. 16. 4. Josh. 5. 10. So all the other Jewish Feasts began and ended at Evening, as the dayes on which they were solemnized did; the limits of the day being the bounds of the Festivalls, not the Festivalls, or their occasions, the boundaries of the day; a Festivall or Holy day being none other, but a common day set apart and dedicated to Gods speciall honour and service; Therefore being but a common day consecrated, must needs begin and end, as the day doth. This is manifest by Exod. 12. 18. 13. 3, 4. 6, 14, 15, 16, 17, 18, 19, 20, 21. Levit. 23. 3. to 43. Numb. 29. 1. Josh. 10. 1, 2, 13, 14. Judge. 5. 1. 1 Sam. 14. 23. Neh. 8. 9, 10, 11. Esth. 8. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23. Psal. 81. 3. Psal. 118. 24. Isa. 22. 12. Matth. 28. 1. Mark. 16. 1. Luke 23. 56. 24. 1. Where all Festivalls,

\* Exod. 12. 18.

Deut. 16. 3, 4.

1 Sam. 30. 17.

Rivalls, Fasts, and memorable occasions, are regulated  
 by dayes, not dayes by them; the Festivalls and Feasts  
 ever beginning and ending with the dayes to which they  
 are appropriated, not the dayes, or Festivalls, or Fasts,  
 with the occasions of their solemnization. So in all  
 annuall or weekly *Holy-dayes*, Feasts, or Fasts instituted  
 by men, let the occasions of their institution happen  
 what houre or time of the day they will, at morning,  
 noon, or afternoon, yet we still begin the solemnizati-  
 on of them, when the day begins. For Example, our  
 Saviours Passion on the Crosse, was not till about three of the  
 clock in the afternoon, John 9. 14 Mark 15. 34. Yet we so-  
 lemnise our *Goodfriday*, in memory of his Passion, from  
 the time the day begins. So our Saviours *Ascension* (as is  
 probable by *Acts* 1. 9. 10, 11, 12. 13. *Luk* 24. 50. 51, 52.) was  
 about Noon or after, yet we begin the Festivall of his *Ascen-*  
*sion* with the dayes inception, whereon it was. So the  
 descent of the Holy Ghost upon the Apostles in cloven  
 tongues, was about nine of the clock in the morning,  
*Acts* 2. 15. Yet we solemnize our *Whitsunday* in memory  
 thereof, from that dayes inception. Our deliverance  
 from the Gunpowder Treason on the fifth of November, was  
 about nine or ten in the morning, or after, when the  
 King, Queen, Prince, Lords and Commons should have  
 met together in the Lords-house; (though suspected and  
 in part discovered ten dayes before, and actually detected  
 at Midnight; ) yet we begin the solemnization of it,  
 from the foregoing Evening, with ringing of Bells, and the  
 like. The Birth of many of our Princes hath been about  
 noon or after, and their Coronations about that time:  
 yet we solemnize their *Birth-dayes*, and *Coronation-dayes*,  
 from those dayes beginnings. The Crown descended to  
 our present Sovereign King *Charles* in the afternoon: yet  
 we solemnize not that day from Noon to Noon, but  
 from Evening to Evening, because the day doth then  
 commence and end; and so the solemnity confined onely  
 to that day, that whole day, not to part of it, and part  
 of the ensuing day. If then all Festivalls whatsoever begin

a See 3. Jac. c.  
 1. 2. 3.

The arraign-  
 ment of Tray-  
 tors. Speeds  
 History p. 1254



and end with the dayes beginning and end on which they are kept, not at the very time of those dayes, when the occasions of their solemnization happened, as these and other infinite other examples testifie; Why should not the Lords-day begin at Evening, though Christs Resurrection, (the chief cause of its sanctification) was not till morning, because that day, as a day, doth then begin and determine? Certainly whatever the Opposites conceive, it must needs do so, and that for these unanswerable Reasons.

First, because God himself, at the very Creation hath set inviolable bounds, for the beginning and end of dayes and weekes; appointing them to be as so many *Royall Standards* for the limiting or measuring out of all Festivall occasions happening on them, and reducing them to a certainty; as I have manifested at large in the fourth Conclusion: wherefore no event or Festivalls, happening on those dayes, can alter the limits or beginning of them, nor make them longer or shorter; no more than the Corn, to be measured by the peck or bushell, or the cloth to be measured by the yard, can alter, limit or measure out the quantity of the peck, bushell, or length of the yard.

Secondly, because every occasion that may cause a subsequent consecration of a day, for a *Sabbath* or *Holy day*, (and so Christs Resurrection) doth only dedicate that day, yea all that day on which it falls, not part of that day, and part of the day ensuing, on which it did not happen; therefore consecrating onely that very day, all that day, and no other day but that, it must needs begin and end, when that day doth. Now that very day on which our Saviour arose, began and ended at Evening, as I have proved: his Resurrection therefore being the cause of consecrating all that day, (not part of it, and part of the following day) for the Lords-day, this day as a Lords-day, must necessarily begin and conclude at Evening.

Thirdly, because no occasion of consecrating the day, on which it falls, extends in point of Consecration, further

ther than that very day, which is set as the utmost limits of it. But should the Lords-day begin and end at morning or Midnight, not at Evening, Christ's Resurrection (the cause of its consecration) should extend beyond the bounds of the day, to consecrate half (or at least a quarter) of the second day, for a Lords-day on which he arose; and besides, it should not consecrate all that day on which it happened, but that part onely which ensued; not that which preceded it, since that day began at Evening, as I have proved. Both which were absurd to affirm. Therefore it must needs begin at Evening, The Lords day being onely the first day on which Christ arose, and all the first day, not part of it, and part of the second day, as it is and must be, in the Opposites computation.

Fourthly, that day on which Christ arose, both as a week day, and as a day, was precedent to his Resurrection, both in time, nature, and in the sanctification of it for a Lords-day: For there must be first a day of the week before Christ could rise upon it, or any consecrate it for a Sabbath or Lords-day: therefore his Resurrection on it, and the consecration of it for a Lords-day, did not, could not alter the limits or nature of that day, but both of them must be regulated, squared by its former bounds.

Fifthly, Christ's Resurrection and the Lords-day solemnization, have no set limits of time of their own, being no parts of time, but onely measured out by time: therefore they can give or proportion out, no limits of time to the first day, but the first day being a part of time, must set limits of time to them. And to make Festivalls or their occasions measurers out of the length, beginning or end of days (which the Objectors do) is as grosse an absurdity, as to measure the bushell by the corn, or the yard by the cloth; not the corn and cloth by the bushell or yard; or as to square the Rule by the tree; measure the quart pot by the wine; weigh pounds and weights by the wool, flesh, bread, fruits; not the tree, wine, wool, &c. by the rule, quart, pound, weights.

Sixthly, every memorable accident happening upon

any day (and so by consequence our Saviours Resurrection on the first day of the week) cannot possibly alter the beginning of that day: For if it falls out just at the dayes beginning, it is a reason that the day and Festivall solemnized in memoriall of it, should then begin, because both the day and the occasion of its celebration commence together; if it happen after the day begins (as Christs Resurrection did) it cannot nullifie or change its beginning, because it was irrevocably past, and gone before. *Et quod factum, quod prateritum est, in futurum reddi non potest*, no not by God himself, much lesse by any accidentall occasion, which cannot possibly operate to nullifie or alter that which was past and gone before it was in being. Since therefore no occasion happening, either with or after the beginning of any day can possibly alter the time of its inception, the Festivity instituted in memory of that occasion, on that day, must inevitably begin and end when the day doeth in its naturall and usuall course, and so the Lords-day too, which must begin and end at Evening, because that day on which Christ rose again did so.

Seventhly, Christs Resurrection (and so any other memorable accident upon any dayes) was but a meere transient act, done, past, almost in a moment, or minutes space: wherefore it could properly of it self consecrate onely that space of that day which it took up and no more: for the forepart of the day being past, the following part of it to come, and neither of them in being, but that space thereof in which he rose again, Christs Resurrection could not properly operate to consecrate either the antecedent or subsequent part of that day, of it self, much lesse any dayes ensuing. If therefore the Lords-day, or first day should be limited or bounded out by the time on which Christ rose (which is the Opposites Doctrine) we must either observe no Lords-day at all, or else a Lords-day of a minutes length (and that minute uncertain when to begin or end, because the hour, or minute of Christs rising again is unknown:) Since therefore  
there

there is both an expediency and necessity that Christians should observe a day, a Festivall of a greater length, than the very moment in which Christ rose, in memory of Christs Resurrection; the instituters of the Lords-day, considering that God himself did ever bound out all Festivalls, by dayes, not minutes, hours or half dayes, (stretching the limits of them farther than the bounds of their occasions reached; which were commonly short, and transitory;) partly in imitation of Gods own former proceedings in such case, and partly out of necessity, did extend the bounds of the Lords-day beyond the space in which he was rising, even to the intire day, whereon he arose, and so to that part of the day preceding, as well as to that succeeding it, the very act of Christs Resurrection being but momentany and not so large as the whole dayes extent. Whence we may clearly see an absolute necessity of limiting Festivalls by the days, limits, not by their occasions; of beginning the Lords-day at Evening, though the Resurrection, the cause of its future solemnization, was not till morning; and of making such occasions and the Resurrection, to relate *à parte ante*, as well as *à parte post*; to consecrate the precedent as well as the subsequent part of the dayes on which they happen, without any violation of the objected Logick Rule. That *the effect cannot precede the cause*; (which is true only in this sense, that the Lords-day could not be actually observed as a Lords-day in memory of Christs Resurrection on it, before he actually rose again;) else Festivalls and the Lords day should be scarce *half-holy-dayes*, sometimes not above a minutes or hours length; which would be dishonourable to God, to Christ, to the Church and disadvantageous unto Christians.

Eightly, if Festivalls or their occasions (and so Christs Resurrection and the Lords-day) should alter the beginning and end of dayes, as the Objectors pretend; it would bring in an absolute confusion of all time and dayes: For then every last occasion of solemnizing any day must change the beginning of all other dayes, and

reduce them to the time: that that occasion happened; and so every punie Festivall should alter the limits of all dayes and Festivalls formerly setled; which were injurious, yea absurd; and would cause so many alterations in dayes would render all dayes, weeks, years, uncertain; or else every day or Festival should have severall beginnings and ends, answerable to the hours of the severall remarkable accidents happening on them, some beginning at one hour, some at another, some being long, others short, some beginning at one time in one Country, and at another time in another Countrey; which would bring such a perplexity, intricacy into all computations of time, and all Chronologie, as neither God nor man could suffer; breed much confusion, both in Contracts, Festivals, all divine and humane affairs; overturn Religion, Lawes, Dayes, Weeks, Moneths, years, and reduce all things to a mere incertainty, in regard of time, which hath continued the same in all ages and places from the Creation to this present, without any variation; the week consisting of *seven dayes*, and each of those dayes of *24. hours onely*, as they did at the Creation. Wherefore to prevent this generall confusion, incertainty, disorder in dayes, and other times, there is a necessity that dayes, (Gods Standard Royall, to measure all temporary things, occasions, and solemn Festivals happening on them) should limit both Festivals themselves, and the causes of their Institution: and so that the Lords-day should be squared by the first day of the week, to which it is confined, not the first day, or Lords-day, by the time of our Saviours Resurrection on it. And why should not the Lords-day be squared by the first day on which our Saviour arose? Is it not celebrated principally in remembrance of his Resurrection on that day? Is not the Lords-day the first day, and the first day the Lords-day? Is not all the first day, the Lords-day, and no part of the 2<sup>d</sup>. day? would you not have it like that first day on which Christ arose, not different from it? If so, then that first day must be the only measure of it; and it must begin and end

end at Evening, as that day did. If otherwise, you make the Lords-day different from that day whereon Christ rose, you sanctifie but part, not all the first day; you piece up a Lords-day of half the first day and half the second day; and make Christs Resurrection the measure of the day, when as the day was the measure of it: all and either of which is grossely absurd. You see therefore in the first place, that the ground on which the Opposites build their opinion of the Lords-dayes commencement at morning; is but a chain of falsehoods and notorious errors. And so the objection meereley false, in the sense that they intend it.

2. I answer, that though Christs Resurrection was the principal cause of Christians celebrating the first day of the week for the Lords-day, & Christian weekly Sabbath; yet it was not the sole cause or occasion of it, there being many other causes likewise alleadged for it by \* ancient and modern Divines and others; as that it was the first day of all others; whereon God created the light, that God rained Manna in the Wildernesse on it, that Christ thereon rose again from the dead, and that the Holy Ghost descended thereon, upon the Apostles. Thus expressed in the Excerptions of Egbert Archbishop of York, about the year of Christ 750. c.36. *Spelmani Concil. Tom. 1. p.262. Dominica dies prima dies seculi est, & dies Resurrectionis Christi; & dies Pentecosten, & ideo SANCTA EST;* &c. And thus in some ancient Saxon Canons, some of uncertain date, yet supposed to be 1000 years after Christ: *Ibidem p.600. c.24. Di-* a Taken out of  
*es verò Dominica; quia in eo Deus lucem condidit, in eo Man-* Theodulphus  
*nam eremo pluit, in eo Redemptor humani generis sponte pro solu-* his Epistle Ap.  
*te nostra mortuis resurrexit, in eo Spiritum Sanctum super disci-* 83. apud Bo-  
*pulos infudit, tanta debet esse observantia, ut præter Orationes* cillum Dece-  
*& Missarum solemnia, & ea quæ ad vescendum pertinent; nihil* 1a Ecclesia.  
*aliud fiat, &c.* On which particulars, many of our mo- c.19 p.5.96.  
dern writers insist. Now as it was the first day of the world whereon light was created, It clearly began at Evening, Gen.1.5: The Manna falling on it, fell with the dew IN THE NIGHT. Numb, 11.9 Exod. 16.13, 14. Christ

See Augustine  
de tempore ser-  
mo 251. and  
154. D. Bound  
of the Sabbath,  
p.44.



Christs Resurrection thereon was early in the Morning whiles it was yet dark, John 20.1. Luke 24.1,2,6. Math. 28.1.6. Mark 16.1,2. The Descent of the Holy Ghost upon the Apostles thereon; was about nine of the clock in the Morning, or the third houre of the day, Acts 2.1. to 16. To these Reasons of its sanctification, most of our late Divines annex, *Christs apparition to his Disciples on this day after his Resurrection: and that was AT EVENING* (a little before Sunset) John 20.19. Now if all these severall occurrences on the first day of the week, concurring jointly towards its sanctification as a Lords-day, or Christian Sabbath, should alter its Primitive beginning and end at the Creation, as the first day of the world, when it began and ended at Evening, to the time and hour of these severall Occurrences thereon; it should have as many severall beginnings and ends, at severall times, houres, repugnant to each other; which would make it five severall dayes in stead of one; yea no day at all, but a *Monster of dayes and Sabbaths*. To reconcile which repugnances, and avoid such confusion; the Objectors must disclaim their confident objected mistake. That *Christs Resurrection* (being one cause of the Lords-dayes solemnization onely) did actually change the beginning of the day, from Evening to Morning; and grant it still begins at Evenings, as before it did.

3. I answer that this Objection is a meere *Petitioprincipii*; a begging of the thing controverted, as granted instead of proving it. For they lay this for a foundation; that Christs very Resurrection did change the beginning of the Lords-day (or first day) on which he arose from Evening to Morning: which is the thing in truth they ought to prove. Yea but they confirm it too as well as say it: How I pray? Christ rose again in the Morning, Ergo he translated the beginning of the day to the Morning. But how is this Consequent made good? why thus: Christs Resurrection was the cause of the Lords-day; Therefore the day must begin when he arose, and not before, for the effect ought not to precede the cause.

I subjoyn that in this Argument is a treble sophisme. First there is *Fallacia dictionis* in the word cause: which signifieth either an originall impulsive cause; (And so it is true that Christs Resurrection was the cause of the Lords dayes solemnization, to wit the cause, why Christians afterwards did solemnize it) or else an immediate efficient constitutive cause: Christs Resurrection was no such cause of the Lords day as I have proved. Yet the Objectors in this Argument make it so, for that is their meaning. If they take cause here onely in the first sense; then the Argument is a meer Inconsequent; for the originall cause or occasion of a thing may in point of time precede the effect for many hundred years. *Adams* fall was the cause or occasion of Christs Incarnation, Passion, Resurrection and Ascension, Rom. 5. 6. to 20. yet these were many thousand years pury to it. The three years famine in *Dauids* time, was occasioned by *Sauls* slaughter of the *Gibeonites* many years before, 2 *Sam.* 21. 1. Yea most Divines generally affirm, that though Christs Resurrection was the occasion or impulsive cause of the Lords-dayes institution, yet the institution of it was some space after it, not contemporary with it. This Argument therefore is but a meer Inconsequent Christs Resurrection, the originall occasion of the Lords dayes institution, was in the morning. Ergo the Lords day must then begin.

2. Here is likewise a Fallacie in arguing, that the Lords day must begin at Morning, not Evening, because the effect cannot precede the cause; when as the Argument should be just contrary. The effect begins ever when the originall cause of it doth; and is ever coetaneous with it; therefore the Lords day ought to begin in the Morning, because the Resurrection the cause of it began then. The first of these Arguments is a *Non sequitur*: because though the effect cannot precede the cause in naturall things, as the Son cannot be before the Father was; yet it follows not, that the effect should ever be as ancient as, or contemporary with the cause, or the Son be as old as the Father, or born together with him. So it follows

not that because the Lords day, as a Lords day, could not begin to be observed, hallowed as such a day, before that Morning whereon Christ arose; Ergo it must begin at Morning, and could not be instituted to begin the Evening of the next, or any other first day following it. Again the Antecedent of the latter Argument is false, for although the original cause or occasion doth usually precede the effect in point of time, (as Christs Resurrection did the institution of the Lords day) yet it follows not that the Lords day must begin at that very point of time when Christ arose. So that there is a fallacy in this Argument, in arguing from the effect to the Cause, that it cannot precede it: when as the Proposition ought to be, that it is ever contemporary and must begin at the same time with it.

Thirdly, There is a *Transitio à genere ad Genus*; and that in two particulars.

1. In making Christs Resurrection the cause of the Lords-day, as it is a naturall day, when as it was no cause of it as a day, but onely the reason why it was instituted for a Lords day. So that the Argument should be thus propounded. Christs Resurrection was the cause, why the first day was instituted for a Lords-day: but that began at Morning. Ergo, the Lords-day must then begin, because the day must then begin, when the occasion of its institution for a Lords-day began: which I have proved to be false.

2. In applying that to the beginning of the day, which is applicable onely to the beginning of its institution for a Lords-day, in this maxime; that the effect cannot precede the cause, that is, the Lords-day must not be instituted in memory of Christs Resurrection, before Christ was actually risen, (which yet may be false, since the Feast of the Pascheover was instituted at Evening, and solemnized in part, before God actually passed over the Israelites, and slew the Egyptians at Midnight following, which was the cause of its institution. Exod. 12. 3. 10 40.) and so might the Lords-day too, be instituted in this manner before Christs Resurrection.

tion). Therefore after his Resurrection past, it could not be instituted to begin the Evening of that first day of the week on which he arose. Which is a meer inconsequent; For what though Christ did not rise till the Morning; yet that day on which he arose began at Evening; and therefore his Resurrection relating to the whole day, as his Resurrection day, this day of the week (if not before, yet after his Resurrection past) might be well solemnized for a Lords-day, even from Evening to Evening, without any violation of the true meaning of this Maxime; Since we solemnize not the day, as the precise minute or hour, but as the weekly day of his Resurrection, every part whereof may be part of his Resurrection day, though not part of that very hour of the day whereon he arose. If then these Fallacies be abandoned, the whole summe and Force of the Objection, is but this in honest Terms.

Christs Resurrection in the morning was the original occasion why the first day of the week whereon he arose, was afterwards instituted for the Lords-day, and so solemnized.

Ergo the first day as the Lords-day, must begin and end at morning; at that moment when Christ arose; not at Evening, neither could it be instituted to begin at Even.

Which as all the premises manifest, is a grosse inconsequent.

All that is or can be replied to help out this maimed reason, is this. That the first day whereon Christ arose, had two beginnings. One, as a Lords day, and that was at morning when he arose: the other as a meer natural day, viz. at Evening; and that Christs Resurrection, gave to a new beginning, as a Lords-day, not as a natural day.

To this answer, 1. That this distinction is but a meer forgery, warranted by no Scripture, reason or convincing Authority; and therefore it ought first to be pronounced received, and then the begging of the Question disputed, not

Answer 1.

an Answer of the Reasons objected.

3. It is a mere falshood:

For 1. That very day whereon Christ arose was not consecrated at his Resurrection for a Lords-day, as I have proved: therefore it could not begin at morning as a Lords-day, seeing it was no Lords-day.

2. The Lords-day is nothing else, but the first day of the week, and the first day of the week is the Lords-day, they being *termini convertibiles*: therefore they have but one and the self-same beginning and end.

3. That first day, on which Christ arose, even as his Resurrection day, began at Evening as I have proved; therefore it began then, as it was the Lords day, it being the Lords-day onely, as it is his Resurrection day.

4. Had that first day, as a day begun at morning, then it must needs be either an *half-holy-day*, but of 12 hours long; the Evening and night preceding it, being no part of it; or else it must be a Lords-day patched up of a piece of the first day, and a part of the second day, to wit, of the day light of the first, and the night of second; and not that intire first day whereon Christ arose. Either of which is an absurdity to averre: therefore as a Lords-day it must begin at Evening, to avoid these absurdities. By all which it is now most clearly evident; that this Grand Objection is both false, absurd and fallacious, proving nothing at all against me, and no ground to rely upon.

Argum. 3.

The third main Argument, to prove, that the Lords-day begins at morning, not at Evening, is that of John 20. 19. *The same day at Evening, being the first day of the Week, when the doors were shut, where the Disciples were assembled for fear of the Jews, came Jesus and stood in the midst, &c.* whence it may be objected. That the same first day whereon Christ rose again, ended not at Evening; as the words (*The same day at Evening, being the first day of the Week*) import; that Evening being part of the first day, not of the second; therefore it began not at Evening in Saint John's account, and our Saviour's Resurrection in



it translated its beginning from Evening to Morning.

To this I answer first, that this Text makes nothing at all against me. For the Scripture makes mention of two *Evenings*; one of the artificiall day, (which we commonly call day) beginning when the sun declines, & somewhat before sunset & ending with the twilight, or Sun set, or when the Evening star begins to shine w<sup>ch</sup> Evening is a part of the preceding day, both in our own usuall and the Scripture Computation, the day Evening when this morning determines. Of which <sup>b</sup> Evening we may read, Prov. 7. 9. Mark 1. 32. Exod. 29. 39. Deut. 23. 11. Judges 9. 9. 11, 14, 16. Josh. 8. 29. c. 10. 26, 27. 2 Sam. 3. 35. Math. 25. 57. Mark 15. 42. Luke 23. 43, 44. Exod. 12. 6. Num. 9. 3. c. 28. 4. and Deut. 16. 21. 23. compared together, which is sometimes filled Evening tide, Josh. 8. 29. Gen. 24. Gen. 24. 63. Josh. 7. 6. 2 Sam. 11. 2. Isa. 17. 14. Judges 19. 9. The other is the Evening of the night, beinning after Sun set, or just with the Star-light, just when the twilight endeth, and the night and naturall day in the Scripture and Jews account begin, which <sup>c</sup> Evening is a part, & the very beginning of the ensuing day: of which we may read, Gen. 1. 5, 8. 13. to 24. 31. Exod. 30. 8. Levit. 11. 24. 40. c. 14. 46. c. 15. 5. 16. 27. c. 17. 35. to 32. c. 32. 6. c. 23. 32. Numb. 19. 8. 10. Deut. 28. 67. Judges 20. 23. 26. 2 Sam. 1. 12. 1 Sam. 30. 17. Prov. 7. 9. Psal. 104. 23. Jer. 6. 4. Hab. 1. 18. Zeph. 2. 7. c. 3. 3. Jer. 5. 6. Neh. 13. 19. Deut. 16. 4. Exod. 12. 6. Levit. 23. 5. Mark 13. 35. compared one with the other. Of both these Evenings we find expresse mention, Exod. 12. 6. Num. 9. 3. and 28. 4. Where the Jews are commanded to kill the Passover BETWEEN the TWO EVENINGS, that is, as most accord, between the Evening of the day, and Evening of the night; Which space between these two Evenings, both we our selves, and the <sup>d</sup> Scriptures call, Twilight, that is, the space between two Lights, to wit, the Light of the Sunne, and the Light of the Starres or Candle-light; or the space between Sun setting and Star-shining; which space most hold belongs to the precedent day; the Evening, which begins the night and following day, really commencing, when the Evening <sup>e</sup> star begins.

Objection 3.

Answer. 1.

a See Mat. 24.

15. 25. Mark 13.

6. 35. 36. 47.

48. John 6. 16.

17. compared

together.

b The Evening

Sacrifices we

read of in

Scripture, and

our Vespers or

Evening pray-

ers, are on this

Evening of the

day, a little

before Sun-set-

ting.

c Prov. 7. 9.

1 Sam 30. 17

2 Kings 7

Job 24. 15.

Ezechiel. 12. 6

11.

d See Neh. 4. 21

Job 3. 9. Jer.

31. 35. Gen. 1.

1. 14. 10. 19

compared toge-

ther.



*Ishodor Hispa-  
densis originum.  
l. 3. c. 49. Calc-  
piæ, Rabbanus  
Maurus de u-  
niverso l. 10.  
c. 70. Christia-  
nus Gramma-  
ticus. Pasca-  
rius. Rathbertus in  
Matt. 28. v. 1.  
Honorius Au-  
gustodunensis  
de imagine  
mundi, l. 2. c. 33.*

begins to appear, which Star called *VESPER*, both deni-  
minates, and begins the Evening of the night, and the ensuing  
naturall day. There being therefore these two Evenings,  
both in the Scripture computation and our own; the  
sole Question will be, on which of the Evenings it was,  
that Christ thus appeared to his Disciples? and what  
Evening it is, Saint John here speaks of? Questionlesse, it  
was the Evening of the day, nor of the night: First be-  
cause the Text is expresse, that it was the *same day at Even*,  
being the first day of the week; that is, whiles the first day  
was yet in being, and before it was quite ended: there-  
fore it was, it must be the Evening of the day, which in  
the Scripture and Jewish account (which Saint John  
follows) was a part of the preceding first day; not the  
Evening of the night, which was in their compute, a par-  
cell of the second day, not of the first; as I have proved.

2. All Divines accord, that this very first day on  
which Christ arose, and thus appeared to his Disciples,  
began and ended at Evening, as the third and fifth Con-  
clusions manifest. Therefore this Evening can be no o-  
ther, but the Evening of the first day, not of the night,  
since this day, both began and ended when the Evening  
of the night began.

3. This Text informs us; that when Christ thus ap-  
peared unto his Disciples at Evening, he shewed them his  
bands and his feet, and that they saw and knew him perfectly.  
Now neither Saint John, nor any other Evangelist make  
a mention of any lights in the room where they were, by  
which they might see him: therefore it is most probable,  
that they saw him by day light, or Sunshine, by which  
they could best of all discern him. And if by day light,  
(there being nothing in Scripture to controll it) this  
Evening was questionlesse the Evening of the day before  
Sunset, as soon as ever the Disciples came all together.

4. Christ's love to his Disciples, (who would not ab-  
sent himself from them long, nor leave them in suspense  
of the truth of his Resurrection, which they heard of  
before, by relation onely and other evidences) may in-  
duce

*2 Acts 20. 8.  
Makes relation  
on they had  
this of those  
lights; there-  
fore the Evan-  
gelists likewise  
would have  
done so, had  
there been any,  
as is manifest pro-  
bably.*

duce us to believe, that it was the first<sup>a</sup> of these two Eve-<sup>a See Psal. 28</sup>  
nings, to wit the Evening of the day; and Saint Peters<sup>7. 10. 16. 17.</sup>  
speech to Cornelius, (Acts 10. 40. 41. *Him God raised up the*  
*third day, and shewed him openly:* (therefore at day time, as  
is likelyest by 1 Sam. 12. 17, 12. c. 16. 22. Psal. 98. 2. Isa. 52.  
10. Col. 2. 15.) not to all the people, but unto witnesses chosen be-  
fore of God, even to us; who did eat and drinke with him after  
he rose from the dead) implies as much. This therefore be-  
ing the Evening of the day, and so a part of that first  
day, in the Scripture and Jews compute, makes nothing  
at all against me.

Secondly, This Text mentions not at all this day as a  
Lords-day, but onely as the first day of the Week whereon  
Christ rose; neither doth it or any other Scripture inform  
us, that Christ made any translation of this dayes begin-  
ning to the morning. Nor doth it follow, that the day  
must begin at morning or midnight, because it did not  
end at that time of the Evening when Christ appeared to  
his Disciples, for it might determine soon after his ap-  
pearance (as the words, *being the first day of the week* sub-  
joyned to the premises seem to insinuate) and so not be-  
gin at morning or midnight. This Objection therefore  
no wayes impairs the truth of my assertion.

The fourth Objection (upon which some much rely)<sup>Objection 4.</sup>  
is that of Acts 20. 7. to 12. where Paul and the Disciples  
at Troas continued their Assembly on the first day of the week,  
till day-breaking, and Paul himself then preached untill Mid-  
night. Ergo The Lords-day begins and ends not at Even-  
ing, but at Morning (say some) at Midnight; say  
others.

To this I answer, First, that this Assembly of theirs<sup>Answer 1.</sup>  
on this day began our Saturday night, not our Sunday, and  
continued till our Sunday; (not our Monday) morning, as  
I have formerly proved at large; and therefore it makes  
wholly for, not against me.

Secondly, admit this meeting was upon our Sunday at  
night, (which I would have the Objectors prove, as well  
as affirm) yet it concludes nought against my assertion.

Fi R

First, because this Sermon of Pauls continuing till midnight, and this their continuance all night together, till the morning, was extraordinary, upon an extraordinary occasion: to wit, Pauls departure from them the next morning, v. 7. Therefore no Argument to prove the ordinary beginning or end of the Lords-day.

2. As this Sermon and Assembly was extraordinary, so is it singular, without any paralel example to second it, either in Scripture or antiquity; which make no mention of any such Sermons or Assemblies used on our Sunday nights, (though of many on our Saturday night, as I have proved) besides this alone, if on it. As therefore one *Swallow makes no Summer*, so this one singular example makes no President for the usuall beginning and concluding of the Lords-day at Morning or Midnight.

Thirdly, It is abare example but of one Apostle, without any precept to back it; therefore it can be no conclusive proof, that the Lords-day ought to begin at morning or midnight, and then to end.

Fourthly, The beginning or ending of a Sermon, or one publick meeting (nay the constant practise of all Churches and places, from the beginning and ending their publick Lords-day exercises, which is much more) is no concluding Argument of it self alone, to prove the true beginning and end of the Sabbath or Lords-day. For the Jews themselves, yea Christ himself and the Apostles) began their publick Sermons and Exercises on the Sabbath day, about eight or nine of the clock in the morning, and concluded them about four or five in the afternoon, as we and all other Churches now use to begin and end our publick Lords-dayes, solemnities: can or will any man therefore hence infer, Ergo, the seventh days: Sabbath and our Lords-day begin not till nine in the morning, and conclude at five in the Evening, because the publick Assemblies on them, do then usually begin and determine? No verily, for this were to make the Seventh day Sabbath and Lords-day, consisting each of them of a naturall day of 24 houres length, not above eight

eight or nine hours long, and scarce so much as half holy dayes; and to abandon all private Sabbath and Lords dayes duties, in allowing no time at all for them. If then the customary constant cause of our beginning and concluding publick Sermons, with other solemn exercises and Assemblies on the Sabbath or Lords day, are no sufficient Argument that the Sabbath or Lords day commence or determine, when these publick Sermons, Exercises, and Assemblies do, much lesse can this extraordinary singular Sermon of Saint Paul continued untill Midnight, or the prorogation of this Assembly at *Troas*, till the morning, of themselves alone inferre this Conclusion, that the Lords day begins or ends at Midnight, or morning.

Fifthly, it appears not by the Text, that Saint Paul preached untill Midnight, and continued this Assembly till day breaking, for this very reason, because the Lords day ended not till then. There is no such thing as this insinuated by Saint Luke; but the reason of it is plainly expressed to be, Pauls departure from thence the ensuing morning, never to see their faces more; and Saint Lukes drift in recording this Story, is not to signify, when the Lords day properly begins and determineth; but only as an Historian truly to relate the Apostles Actions; and to record Pauls Industry, in preaching upon all occasions; with his love to the disciples at *Troas*, and their respects to him, and his miraculous restoring Eurychus to life, who fell down dead from the third loft, whilst he was preaching. Therefore it can be no infallible Argument to prove, that the Lords day begins or ends at Morning; much lesse at Midnight; since they brake bread, and did eat and communicate together till the morning.

Sixthly, I would demand of the Objectors, when this Assembly at *Troas* began? If at Morning or Midnight before; that is improbable, since we cannot imagine, that Paul made a Sermon at that time of night, or towards night, half of which would have tyed both himself and his Auditors. If not before our Sunday at Evening, as they

pretend, then it is a stronger Argument to prove that the Lord'sday begins not till Sunday Evening; because St. Paul and the Disciples at Troas met not together to solemnize it till then; then that it ends (and so by consequence begins) at morning or midnight, because this Assembly dissolved not till morning, and Paul continued his preaching untill midnight.

Seventhly, If this example conclude any thing positively, for the Objectors, it is only this; That they should continue their ordinary Lord'sday Evening Sermons untill Midnight, and their Assemblies till day breaking; as St. Paul and the Disciples did here. This inference following directly from this example; without any straining; far better then theirs from it doth; that the Lord'sday begins and ends at Midnight or Morning. But this inference I suppose they will all disclaim in words, as they do in practice, as being a *Nonsequitur*; because this example was but singular and extraordinary upon a speciall occasion. Therefore by the self same reason, they must disclaim their present Objections too, or else subscribe to this my inference, which they cannot avoid unless they quite renounce their own.

Lastly, its clear St. Paul used to preach both in season and out of season; exhorting Timothy and other Ministers to do the like; Tim. 4. 2. that is; as most interpret it, to preach both upon Lord'sdays, and all other dates and nights too, as he saw occasion. Why then might not his Sermon at Troas begin upon the Lord'sday at Evening, about our Evening Sermon time, and yet continue till the Lord'sday was past. Certainly, there is no impossibility, nor improbability, but it might so. Since therefore this text of St. Luke informs us only, that this Meeting and Sermon began upon the First day of the week; when the Disciples came together to break bread; that the Sermon lasted till midnight, and the Assembly till day break following; without any expression that the First day was then continuing or ended; admitting this Assembly and Sermon to be on our Sunday night, (which I absolutely deny) yet it follows not, that the



First day ended not in St. Lukes account and theirs at *Treas*, before the Sermon or Assembly concluded. So that this example proves nothing at all for the Opponents Thesis, nor any thing against mine, for which it is a concluding evidence, if rightly understood, as I have formerly manifested.

The 5. Objection, for the Lordsdays beginning at morning, and against its Evening commencement, is this. That the beginning of it at Evening, would open a wide gap to all licentiousness, Pastimes, Disorders, on Lord/day after-noon, and likewise to secular employments unsuitable to the day; which the beginning of it at morning would prevent.

Objection 5.

To this, I answer. First, that this Objection is a meer Cavill: For we see by wofull experience, that the Doctrine of the Lordsdays beginning in the Morning (which is and hath been generally received of late years in most places of the Kingdome) hath no wayes prevented, remedied any of the Abuses, objected, on Lord/day Evenings, which discolure persons, who make no conscience of sanctifying all the day, will alike prophane, and all godly people equally sanctifie, let the day begin and end at Evening, at Sunset, or Starshining: And there are none who out of Conscience sanctifie and forbear to prophane them now, but would equally sanctifie those Evenings too, did they believe the day to conclude at Evening, since they would be sure to sanctifie all the day. This objected mischief therefore is but a pretence.

Answer

Secondly, It is clear that God himself commanded his seventh day Sabbath, and other Solemn Festivals, to be solemnized from Evening to Evening. Exod. 12. 18. Levit. 23. 32. God therefore (infinitely wise foreseeing better than the best, wisest, holiest and most prudent Christian Magistrates or Ministers all inconveniences, abuses that might prophane his Sabbath, and what beginning, conclusion of it would best prevent all profanations, and make most for its sanctification) insinuating his Sabbath and other Festivals to begin and end at Evening, not at morning or



mid-night, I may safely inferre (against this present Objection) that this beginning, concluding the Lord's day at Evening, even in Gods accompt, and so in reality itself, is least inconvenient, least mischievous, and the best of all the three to prevent all prophanations, abuses of the day: Therefore it ought to be embraced, as that which God himself hath prescribed for the best, the meetest of all others.

Thirdly, I have formerly proved, that this beginning of it at Evening, doth best prepare men for its sanctification; that it prevents more prophanations, Abuses of it committed on and occasioned by disorders of all sorts on the Saturday night (as we falsely term it) then it could possibly produce on Lord's day Evenings: To which I shall add, that it likewise excuseth all Husbandmen, Tradesmen and others from being *Sabbath-breakers*; who in the Winter quarters, rise early to their weekly labour on Munday morning, some three or four hours before day-break; who should be *Sabbath-breakers* in an high degree; if the sabbath or Lord's day ended not till day breaking, as some Objectors pretend. Therefore I may conclude, that this beginning of the Lord's day at Evening, make more for the sanctification of the day, and prevents more inconveniences, then that at morning, and so ought to be retained.

Fourthly, This beginning and concluding the Lord's day at Evening, cannot any way produce such effects of licentiousnesse, and prophanenesse on Lord's day Evenings as is suggested; since it puts no period to the Lord's day or its duties, till after Sunset, when the Stars begin to shine; which is not till eight or nine of the clock in the Summer, when all orderly people, families are more ready to betake themselves to their family duties, private devotions and rest, then to Sports or Pastimes: and about six a clock in the Winter quarter, after which all civill orderly Parents, Masters, (though not religious) permit not their Children or Servants to rove abroad; and such who are truly pious, till to repetition of the Sermons they heard the Lord's day before, singing of Psalms, reading the Scriptures.

Scriptures and godly Books, Catechising their families, Prayer, Meditations, and such like holy family duties, answerable to the piety they profess, and the holiness of the preceding day. So that it gives no liberty at all to any dishonest unchristian Sports or meetings, as is pretended, which commonly break up and end ere the Lord-day concludes. In this accompr, and which all good Christians ever avoid at all times, especially after Lord-day exercises of Piety and Religion, with which they have no anologie.

Lastly, Admit the objection true, that this beginning of the Lord-day at Evening should prove more inconvenient then that at morning; not simply in it self, but in regard of mens abusing it; which yet I deny; yet it follows not, that therefore the day ought then to begin: since the Abuse of any Doctrine; though the corruption of men, makes not the Doctrine lesse true; and since Inconveniences must not, cannot alter those bounds, which God himself hath immutably prescribed unto dayes. True it is, that *Scriptures* backed with any precepts or Scripture for the beginning of dayes are good Arguments, proofs of truths; but wanting Scripture authority to enforce them or being objected against apparent texts, they are no ways conclusive. Such are the inconveniences here pretended, which whether they will happen, yea or no, will not, cannot, appear, till this Doctrine of the Lord-dayes commencing at Evening, and the use of publique Evening Prayers in all places Saturday Evenings; as a preparative to the Lord-day Sanctification formerly used, be generally received as formerly: which men will not so much abuse to Liberty and Licentiousness, as is pretended; or if they do, the fault is onely theirs, not the Doctrine. Wherefore my Conclusion remains still firm, notwithstanding this Objection.

The Sixth and last Objection is this: That many godly Learned Divines of late and present times have in their Writings, Sermons, delivered this Opinion for a truth; That the Lord-day begins and ends at morning, not at evening; because Christ rose not till the Morning: and it is now the

com

common received opinion, practice of all our Divines and most private Christians: Therefore questionlesse, It is the truth, and dangerous to alter it in Thesis or Practice.

Answer 1.

\* Sicut autem  
Sabbathi veteris  
initium fuit  
à vespere: quia  
& creatio inci-  
piebat à vespere,  
quoniam  
Missa communis  
creata fuit  
ante lucem: &  
cessatio diei ab  
opere creationis  
incipiebat et à  
à vespere; sic  
Diei Dominicae  
initium incipere  
videtur ab il-  
lius diei mune:  
quia resurrectionis  
Christi fuit  
in primo mane.  
Mar. 16. 9.  
John 20. 1.

To this I answer. First, That it is true, many reverend holy learned late Divines (whose names for honours sake I shall forbear to mention) have in their publique Writings, and many more in their Sermons, delivered this opinion (yet many of them only dubiously with an \*IT SEEMETH or IT IS PROBABLE, or LIKELY, not resolutely) and that their present practice is answerable thereunto: But yet all the learned Godly Christians in all former ages have held, practiced the contrary, as I have proved; and some godly eminent Divines among us now, conclude in judgement with them. The judgement therefore and practise of all Ages, Churches, from the Apostles time till now, should rather sway the ballance of this controverſie, then these few late Divines, though learned and judicious.

Secondly, Most of those godly learned men have taken up this Opinion, and published it to others upon *Wabbay* his Authority and ground, without any full examination or serious study of the point, as appears by this, that they do but lightly touch it in the by and so away, not seriously or premeditatedly resolving it, grounding themselves upon such reasons as no wayes prove their Conclusion; and in truth are meerly false, in that sense they understand them, as I have largely manifested in the premises. Therefore their Authorities are not so much to be regarded.

Thirdly, In all Disputes we must not so much observe what and who the Authors produced are, as what their proofs and reasons are. If these good learned mens Arguments, Reasons be unsound, as I have manifested them; no matter what their Opinions, lives or practises are; since the learnedest, the holiest are and may be subject unto Errors, from which none are exempted. Seeing therefore I have here propounded the best Reasons alledged on all hands, for the Sabbath and Lordsdays beginning at Evening, Morning, Midnight, let the best Proofs, Reasons,

sons win the field; and then I hope the victory will fall on my side without any more Dispute, who contend not for victory, but truth alone.

Having thus (as I conceive) given full satisfactory answers to all materiall Objections, I ever yet read, heard, or conceive against the Lords-day beginning at Evening, I come now to reply to one grand Exception against that place of *Levit. 23. 32. From Evening to Evening, you shall celebrate your Sabbath*; a principall Text to prove, that the seventh day Sabbath, (and so our Christian Lords-day or Sabbath as it is called) ought to begin and end at Evening.

To which some reply, that this Text speaks onely of the Sabbath of attonement, which was but Ceremoniall; not of the seventh day Sabbath; therefore it is no Argument or Proof at all, that the seventh day Sabbath, on Lords-day succeeding it, should begin and end at Evening.

Exception.

To which I reply, First, that it is true; this Text is meant more particularly of the Sabbath of attonement, to which it is here specially applyed, but yet it extends withall to the seventh day Sabbath, (which all confesse did ever begin, and end at Evening) from whence it received both its name of Sabbath, and its limitation too, both for the manner and time of its sanctification, as is clear by verse 27, 28, 29, 30, 31, 32. compared together.

Reply 1.

For 1. This Sabbath of Attonement, was to be a Sabbath, and so the same in appellation, as the seventh day Sabbath, verse 27, 28, 32.

2. It was to be but a Sabbath of one dayes space, and no more; (to wit, the tenth day of the seventh moneth, verse 27.) as the seventh day Sabbath was.

3. It was to be sanctified and solemnized in the same manner, as the seventh day Sabbath.

For 1. It was to be an holy Convocation unto them, v. 29. (that is, they must meet, and keep publick, religious, holy Assemblies on it, & do holy duties) as the seventh day Sabbath was, verse 2, 3.

2. They

2. They must rest and do no manner of work upon it, verse 28; 30, 31, 32. as they were commanded to do on the seventh day Sabbath, Exod. 20. 9, 10. c. 23. 12. c. 31. 13, 14, 35. 2. Deut. 5. 13, 14, 15. neither might themselves, or the strangers within their gates do any work thereon, Levit. 16. 29. as they might not do on the seventh day Sabbath, Exod. 20. 10, 11.

3. They must offer a burnt offering to the Lord on this Sabbath, verse 29. as they were to do every seventh day Sabbath, Numb. 28. 9, 10.

4. This Sabbath of Attonement was, to cleanse them from all their sin before the Lord, and make them holy, Levit. 16. 31. as the seventh day Sabbath was both a means and sign of Gods sanctifying them, Exod. 31. 13. Ezech. 20. 22.

5. He that did any work on this Sabbath of Attonement, was to be cut off from his people, verse 30. as he was to be, that did any work on the seventh day Sabbath, Exod. 31. 14, 15. Numb. 15. 32, 35, 36.

6. On this Sabbath of Attonement, they must afflict their souls, 1. 29, 32. as on the seventh day Sabbath they were to do, though not so solemnly as on this, by confessing their sinnes, and by not doing their own wayes, nor finding or doing their own pleasure thereon, Isa. 58. 13. By all which particulars, it is manifest, that this Sabbath of Attonement was in most things most exactly squared, regulated by the seventh day Sabbath, as the Sampler by the Copy, or the picture by the person drawn, participating with it both in its name, use, sanctification; The sole *Querie* or doubt remaining to be cleared, is when all this is to be done, or at what time of the day, this Sabbath of Attonement should begin and end? God therefore resolves this scruple in the words alledged, *From Even to Even shall ye rest* (or celebrate) *your Sabbath*; that is in effect, you shall keep it from Evening to Evening, as you do the seventh day Sabbath; which begins and ends at Evening: so that the seventh day Sabbath, being here propounded for the only pattern by which this Sabbath of Attonement was squared, and this being to begin and end at Even, because the seventh day Sabbath did, as all acknowledge, and I have

have provid; this Text (In my conceit) is a pregnant unavoidable Argument: for the seventh day Sabbath solemnisation from Evening to Evening, as well as for the Sabbath of Attonement, beginning and concluding at Evening: whence Saint Augustine with sundry Councils, and Authorities forequoted, apply this Text to the Seventh day Sabbath, and Lords-day, as setting out bounds to them, as well as to the Sabbath of Attonement.

B. 1. 1. 1. 1.

2. I answer, that this Sabbath of Attonement was confined to the tenth day of the seventh moneth, verse 27. and to be kept upon that day: since therefore it was confined to that very day, and to be solemnized from Evening to Evening; it is apparant that that day, as a naturall day, began and ended at Even in Divine accompt; and if that day, as a naturall day, began and ended at Even; then by consequence all other dayes, (being all of one proportion, and one ever beginning when the other ends) began and ended at Evening. Therefore the seventh day Sabbath too, appropriated to the seventh day: So that take it which way you please, It is an unavoidable proof, that all Sabbath dayes, and the seventh day Sabbath begin and end at Evening in Divine Computation: therefore the Lords-day must do so too, being a Sabbath of sacred rest, as all our Opposites resolve, and confined to the first dayes limits, which as a naturall day commences, and determines onely at Even, in naturall, divine and true accompt, and as a sacred day of Rest, devoted to Gods service, I have now as succinctly, and perspicuously as I could waded through this present Controversie: At what time the Lords-day ought to begin and end, and if my Judgement fail me not, I conceive I have sufficiently manifested it to commence and conclude at Evening, (Immediately after Sunset, or so soon as the Evening-star begins to appear) not at morning or midnight. If the Truth shall prove on my side upon the debate, I desire it may captivate the contrary mistakes, and certifye both the judgement and practise of all such zealous Christians who are yet differently minded. \*If the error be





AN OLD  
PARLIAMENTARY  
PROGNOSTICATION  
MADE AT  
WESTMINSTER,

FOR THE  
NEW-YEER, and YOUNG MEMBERS, there assembled in Consultation.

Fore-shewing

The probable Final issue of all their intended new *Moddles, Acts, and Ordinances*, from four Old Printed *Statutes*, and *Abortive nulled Parliaments*, not unworthy of their knowledg most *Serious Consideration & saddest Meditation*; (and the whole *three Kingdoms* too,) in regard of the present Fate of our publick Affairs.

*Prov.* 24. 20, 21, 22. There shall be no reward to the evilman, the lamp of the wicked shall be put out. My son, fear thou the Lord and the King, and meddle not with those that are given to change; For their calamity shall rise suddenly, and who knoweth the ruin of them both?

*Isai* 8. 9, 10, 11, 12, 13. Associate your selves, O yee people, and yee shall be broken in pieces, take Counsel together, and it shall come to nought; speak the word and it shall not stand; for God is with us. For the Lord spake thus to me with a strong hand, and instructed me, that I should not walk in the way of this people; Saying, say ye not *A Confederacy* to all them to whom this people shall say *A Confederacy*, neither fear ye their fear, nor be afraid: Sanctifie the LORD OF HOSTS HIMSELF; and let him be your fear and let him be your dread.

*Isai* 19. 12, 13, 14. The Princes of Zoan are become fools; the Princes of Noph are deceived, they have also seduced Egypt, even they that are the stay of the Tribes thereof. The lord hath mingled a spirit of perverseness in the midst thereof, & they have caused Egypt to err in every work thereof, as a drunken man staggereth in his vomit.

London printed for the Yeer 1655.

AN OLD  
PARLIAMENTARY  
PROGNOSTICATION  
MADE AT  
WESTMINSTER.

FOR THE  
YEAR 1640. BY MR. HENRY JONES.

THESE THINGS ARE TO BE REMEMBERED, THAT THE  
PARLIAMENT OF GREAT BRITAIN, IN THE  
YEAR 1640, WAS COMPOSED OF TWO  
Houses, THE HOUSE OF COMMONS, AND  
THE HOUSE OF LORDS. THE HOUSE OF  
COMMONS WAS COMPOSED OF  
MEMBERS OF THE SEVERAL  
COUNTIES, CITIES, TOWNS, AND  
UNIVERSITIES OF GREAT BRITAIN.

THE HOUSE OF LORDS WAS COMPOSED OF  
THE BISHOPS, BARONS, AND  
KNIGHTS OF THE SHIRE.

THE PARLIAMENT OF GREAT BRITAIN, IN  
THE YEAR 1640, WAS COMPOSED OF  
MEMBERS OF THE SEVERAL  
COUNTIES, CITIES, TOWNS, AND  
UNIVERSITIES OF GREAT BRITAIN.

THE PARLIAMENT OF GREAT BRITAIN, IN  
THE YEAR 1640, WAS COMPOSED OF  
MEMBERS OF THE SEVERAL  
COUNTIES, CITIES, TOWNS, AND  
UNIVERSITIES OF GREAT BRITAIN.

**An Old Parliamentary Prognostication made at Westminster,  
for the New Year, and Young Members there assembled in  
CONSULTATION.**

Prov. 19. 20. *Hear Counsel, and receive instruction, that thou mayst  
be wise in thy latter end.*

Eccles 1. 15: *The thing which hath been, is that which shall be; and  
that which is done, is that which shall be done, and there is no new thing  
under the Sun.*

**7. Henry 4. Chap. 3.**

**21** *Item, Whereas the Munday next after, the Feast of  
the Exaltation of the holy Crose, the 21. year of the  
Reigne of the said late King Richard, a Parliament was  
summoned and holden at Westminster; and from thence  
adjourned to Salop; at which Town a certain power  
was committed by authority of the Parliament, to certain persons, to pro-  
ceed upon certain Articles and matters comprised in the Roll of the Par-  
liament thereof made, as by the same Roll may appear: in which Par-  
liament, and also by Authority aforesaid, divers Statutes, Judgments,  
Ordinances, and Establishments were made, ordained and given errone-  
ously and dolefully, in great disuberrison and final destruction and undo-  
ing of many honorable Lords and other leige people of the Realm, and  
of their heirs for ever. Our Sovereigne Lord the King, considering  
the great mischiefs aforesaid, by the advice and assent of all the  
Lords Spiritual and temporal, and of all the Commonalty, hath judged  
the said Parliament, holden the said 21. yeare, and the authority thereof  
(given as aforesaid) with all the circumstances and dependants there-  
upon, to be wholly reversed, revoked, voided, undone, repealed and annulled  
for ever.*

St. L. Pr. n-  
ci in the old  
Stat. 2.3 at  
la. ge.

**31. Henry 6. Chap. 1.** *Whereas the most abominable Tyrant,  
horrible odious, and errant false Traytor John Cade, calling and  
naming himself sometime Mortimer, sometime Captain of Kent,  
which name, fame, act and feats, be to be removed out of the speech  
and mind of every faithful Christian man, perpetually; falsely, and  
trayterously purposing and imagining the perpetual destruction of the  
Kings said person, and final subversion of this Realm, taking upon him  
royall power, and gathering to him the Kings people in great number,  
by false, subtil, imagined language, and seditiously made a stirring  
rebellion, and insurrection under colour of justice for reformation of the  
Laws*

*Laws of the said King, robbing, slaying, and spoiling great part of his faithfull people. Our said Sovereigne Lord the King, considering the promises, with many other which were more adiont to remember, by advice and assent of the Lords aforesaid, and at request of the said Common, and by authority aforesaid, hath ordained and stablished, that the said John Cade shall be repured, had named and declared a false Traytor to our sovereigne Lord the King, and that all his Tyranny, Acts, Feats, and false opinions, shall be voided, abated, annulled, destroyed, and put out of remembrance for ever; and that all indictments, and all things depending thereof, had and made under the power of Tyranny, shall likewise be void, annulled, abated, repured, & holden for none, & that the blood of none of them be thereof displea nor corrupted, but by the authority of the said Parliament clearly declared for ever. And that all indictments in time coming in like case under power of Tyranny, Rebellion, and stirring, had, shall be of no record nor effect, but void in Law: and all the petitions delivered to the said King in his last Parliament holden at Westminster the sixth day of November the 19 year of his reigne, against his mind by him not agreed, shall be taken and put in oblivion, out of remembrance, undone, voided, annul, had, and destroyed for ever, as a thing purposed against God, and conscience, and against his royall estate and prebeminence, and also dishonourable.*

39: Henry 6: Chap. i. Whereas it hath been shewed to the King our sovereigne Lord, by his Leige and faithfull Commons, in this present Parliament, that divers seditious and evill disposed persons having no regard to the dread of God, nor to the damage of the prosperous estate of our said sovereigne Lord the King, nor his Realm faithfully and importunately did labour the said King to summon a Parliament to be holden at the City of Coventry, the second day of the Month of November, the 18. year of his noble Reigne, only to destroy certain of the great Nobles faithfull and lawfull Lords, and estates of the Kings blood, and other of the faithfull leige people of the same realm of England for the great rancor, hatred, and malice, which the said seditious persons of long time have had against them, and of their greedy and insatiable covetise to have the Lands, Hereditaments, possessions, offices, and goods of the said Lords, and faithfull liege people, by which further labour certain Acts, Statutes and ordinances, against all good faith and conscience, in the said Parliament were made finally to destroy the said lawfull Lords estates and liege people, and their issues, as well strangers

another, and their Heirs for ever: which parliament was unduly summoned, and a great part of the Knights for divers Countyes of this Realm, and many Burgeses and Citizens for divers Boroughs and Cities in the same appearing were named returned, and accepted, some of them without due and free election, some of them without any election, against the course of the Kings Laws, and the Liberties of the Commons of this Realm, by the means and labours of the seditious persons, whereby many great Jeopardies, Enormities, and inconveniences, well nigh to the ruin, decay, and universall subversion of the said Realm, have ensued our said everaignt Lord the King considering the premises, and that the said Lords Estates and other his leige people, against whom the said Acts, Statutes, and Ordinances were made, have always had great and faithfull love, to the p[er]formence and surety of the Kings person, according to their duty, and that few of the said Acts, made in the said Parliament holden at Coventry were made for the meale of the King nor of his said Realm, but the greater part of the Acts, Statutes & Ordinances there made, were laboured by the conspiracy, procurement & excitation of the said evill disposed persons, for the introduction and accomplishment of their rancor and inordinate covetise; By the advice and assent of the Lords Spiritual and Temporal, and at the request of the said Commons, in the said Parliament assembled, and by the same Authority hath ordained and established, That the said Parliament holden at the said City of Coventry be void, and holden for no Parliament, and that all Acts, Statutes and ordinances by the Authority of the same made, be reversed, adnulled, undone, repealed, revoked, voyd, and of no force nor effect.

17 Ed. 4 Chap 7. 'Whereas in the most dolorous absence of our 'Soveraigne Lord the King out of this Realm, being in the parts 'of Holland, before his victorious regreis into the same Realm, in 'a pretenced Parliament, unlawfully and by a usurped power summoned, by the Rebelle and enemy to our Soveraigne Lord the King, 'Henry 8 late in deed & not of right King of England, holden in the Palace of Westminster, the 26 day of November the 9th year of our Soveraigne Lord the King that now is, under the coloured 'title of the said Henry, the xl year of the inchoation of his 'pretenced Reigne, and the first year of the redemption of his usurped power and estate; divers and many matters were treated, communed 'and wrought to the destruction and disherison of our Soveraigne 'Lord the King, and of his blood royall, by the labour and exhortation



No. 4.

ration of persons not fearing God, nor willing to be under the rule of any earthly Prince, but inclined of sensuall appetite, to have the whole governance and rule of this Realm under their power and domination: which communications, treaties, and workings, doth remain in writing, and some exemplified, whereby many inconveniences may ensue to our said Sovereigne Lord the King and his blood royall, which God defend; and all Noble men at this time attending about the King, and all his other leige people and Subjects, unless due remedy be provided in this behalf. Our said Sovereigne Lord the King, by the assent of the Lords Spirituall and temporall, and at request of the Commons in the said Parliament assembled, and by Authority of the same, for the surety of his noble person, his noble issue, and the inheritable success of the same, and for the surety of all the Lords, Noblemen, and other his servants and subjects, hath ordained and established, that the said pretended Parliament, with all the continuances and circumstances, depending upon the same, be void and of none effect; and that all acts, statutes, ordinances, treaties, communications, conventions and workings in the said pretended Parliament, treated, continued, accorded, wrought, had, or by the Authority of the same Parliament enacted and ordained; and all exemplifications made upon the same; or any part of them and every of them, shall be reverted, cancelled, voyd, undone, revoked, repealed, and of no force nor effect.

*Ezek. 17. 26. 27.* Thus saith the Lord God; remove the Diadem and take off the Crown; this shall nor be the same; exalt him that is low, and abase him that is high: I will overturn, overturn, overturn, it, and it shall be no more, until He come whose right it is; and I will give it him.

*Isa. 29. 14. 15. 16.* Therefore behold I will proceed to do a marvelous work amongst this people, even a marvelous work and a wonder; for the wisdom of their wise men shall perish, and the understanding of their prudent men shall be hid; Wo unto them that seek deep, to hide their counsel from the Lord, and their works are in the dark, and they say, who seeth, and who knoweth us? Surely, your turning of things upside down shall be esteemed as the potters clay.

*Psal. 93. 5. 6. 7. 8. 9.* O Lord how great are thy works, and thy thoughts are very deep: a brutish man knoweth not; neither doth a fool understand this; when the wicked spring as the grass, and all the

the works of iniquity do flourish; it is, that they shall be destroyed  
for ever; but thou Lord art most high for ever more. For so thine  
enemies O Lord, for so thine enemies shall perish; all the workers of  
iniquity shall be scattered, but my horn shall thou advance, as the  
horn of an Unicorn, I shall be adorned with fresh oil.

*Psalm 124. 10. 12.* Woe to him that covereth an evil covetousness  
to his house, that he may set his nest on high, that he may be deli-  
vered from the power of evil: Thou hast conferred shame to thy  
house, by cutting off many people, and hast sinned against thy soul.  
VVo to him that buildeth a Town with blood, and stablisheth a  
City by iniquity.

*Isa. 17. 12. 13. 14.* VVo to the multitude of many Nations, which  
make a rushing like the rushing of mighty waters. The Nations  
shall rush like the rushing of many waters, but God shall rebuke  
them, and they shall flee far off, and shall be chased as the chafe of  
the Mountains before the winde; and like a rolling thing before the  
whirl wind; and behold at evening tide trouble, and before the  
morning he is not. This is the portion of them that spoil us, and the  
lot of them that rob us.

*Dan. 8. 23. 24. 25.* And in the latter time of their kingdom, when  
the transgressions are come to the full, a King of fierce countenance  
and understanding dark sentences shall stand up. And his power  
shall be mighty, but not by his own power; and he shall destroy  
wonderfully, and shall prosper, and practice, and shall destroy the  
mighty, and the holy people. And through his policy also, he shall  
cause craft to prosper in his hand, and he shall magnifie himself in  
and by peace shall destroy many: he shall also stand up against the  
Prince of Princes, but he shall be broken without hand.

*Ezek. 23. 5. 10. to 16.* Ye have not gone up into the gaps, neither  
made up the hedge for the house of Israel to stand in the battell in  
the day of the Lord.

Because, even because they have seduced my people, saying peace,  
and there was no peace: and one built up a wall, and so others  
daubed it with untempered mortar.

Say unto them which daub it with untempered mortar that it  
shall fall, there shall be an overflowing showre, and ye O great  
hail stones shall fall, and a stormy wind shall rent it.

Lo, when the wall is fallen, shall it not be said unto you, where  
is the daubing wherewith ye have daubed it?

Therefore

Therefore thus saith the Lord God, I will even rent it with stormy wind in my fury, and there shall be an overflowing thowre in mine anger, and great hail stones in my fury to consume it.

So will I break down the wall that ye have daubed with untempered mortar, and bring it down to the ground, so that the foundation thereof shall be discovered, and it shall fall, and the shall be consumed in the midst thereof, and yee shall know that I am the Lord.

Thus will I accomplish my wrath upon the wall, and upon them that have daubed it with untempered mortar, and will say unto you, the wall is no more, neither they that daubed it.

*Ez. 5. 14.* Am I therefore become your enemy because I tel you the truth?

*1 Psal. 107. 43.* Whoso is wise and wil observe these things, even they shall understand the loving kindness of the Lord.

**FINIS:**

THE  
**QUAKERS**  
**UNMASKED,**

And clearly detected to be but the  
*Spawn of Romish Frogs, Jesuites, and*  
*Franciscan Friars; sent from Rome*  
to seduce the intoxicated Giddy-headed English  
Nation. By an Information newly taken up  
on Oath in the City of Bristol; Jan 22. 1654 and  
some other evident Demonstrations.

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By *William Pryune of Swainswick, Esq;*

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- 1 Sam. 14. 15. *And there was Trembling (or Quaking) in the Host, in the field, and among all the people: The Garrisons and the spoilers they also trembled, and the earth Quaked; so it was a very great Trembling (or Quaking).*
- 2 Tim. 3. 5, 6, 7, 8. *Having a form of godlinesse; but denying the power thereof; FROM SUCH TURN AWAY. For of this sort are they which CREEP INTO HOUSES, and LEAD CAPTIVE silly women; laden with sins, led away WITH DIVERS LISTS; Ever learning and never able to come to the knowledge of the Truth. Now as Jannes and Jambres withstood Moses, so doe these also resist the truth: MEN OF CORRUPT MINDES, Reprobate (or of NO JUDGEMENT) concerning the Faith.*

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London, Printed for Edward Thomas in Green Arbores, 1655.

*The Quakers Unmasked and clearly detected to be but the  
Spawn of Romish Frogs, Jesuites, and Franciscan  
Popish Freers; sent from Rome, to seduce the intox-  
icated Giddy-headed English Nation.*



HE 2 Pet. 2.1,2,3. But there were also false Prophets among the people, even AS THERE SHALL BE FALSE TEACHERS AMONG YOU, who PRIVILY SHALL BRING IN DAMNABLE HERESIES, even denying the Lord that bought them, and bring upon themselves swift destruction. AND MANY SHALL FOLLOW THEIR PERNICIOUS WAYES, by reason of whom the way of Truth shall be evill spoken of, and through covetousnesse shall they with fained words make Merchandise of you; whose judgement now of a long time lingreth not, and their damnation slumbereth not, &c. is both a Prophecie of our times, and lively Character of our Nation; who had never more cause to minde and practise that caution of our blessed Saviour, Matth. 7.15,16,17. Beware of false Prophets which come to you in sheeps cloathing, but inwardly they are Ravening Wolves, ye shall know them by their fruits; then they have at this day, when such multitudes of Romish Wolves, Locusts, Caterpillars of all Sects, Orders, (as Jesuites, Franciscans, Benedictines, Dominicans, and the like) come freely over in whole Troops from forraign Seminaries and Gels; to act their several parts and Pageants on the Theatre of our distracted English Church and State, to bring both of them to ruine, under all sorts of disguises, without any Watcher or Searcher at all to seclude, detect, eject, correct their persons; discover their pernicious Impostures, or prevent their designs against us. It was Gods complaint of old, Jer. 12. 7,9,11. I have forsaken mine House, I have left mine Heritage, I have given the dearly Beloved of my Soul into the hands of her Enemies. Mine Heritage is unto me as a speckled bird, all the birds round about are against her; Come ye, assemble all the Beasts of the field, come to devour. Many Pastors have destroyed my Vineyard, they have trodden my portion under foot, they have made my pleasant portion a desolate Wilderness. They have made it desolate, and being desolate it mourneth

\* As there  
have frequen-  
ly been after  
persons lesse  
dangerous.



to me; the whole land is desolate, because no man layeth it to heart. And may it not be our complaint (at least in respect of the purity, verity, sincerity, practical power of Religion, Church Discipline and order, if not of our civil Rights and Liberties) at this very instant? Compare but the Stationers Beccous fired, with *Rams* the Jesuites Examination at *New-Castle* (Jun. 1653) *Rome* Master-Peece, *The Royal Popish Favourite*, *Hidden Works of Darknes* brought to publick Light, and the *Epistle* to the Second part of a *Seasonable Legal and Historical Vindication of the Fundamental Liberties and Laws of England*, and this ensuing late Information, taken before the *Town-Clerk* and *Magistrates* of the City of *Bristol*, concerning the New Sect of *Quakers* or *SHAKERS* (derived rather from prophane *Bellshazzars*, *Dan. 5. 6.* and those the Prophet *David* thus prays against, *Psal. 69. 23. Let their eyes be darkned that they see not, and MAKE THEIR LOYNES CONTINUALLY TO SHAKE*; then from that perfect Evangelical Spirit and love of God which casteth out fear, shaking, torment, and makes the Saints always to rejoice in Gods love and favour, 1 *Job. 4. 18. Phil. 4. 4. Rom. 5. 2.*) lately brought into England by *Franciscan Friers* and *Jesuites* sent from *Rome*, who spread themselves like *Gangreens* or *Licuts* over most parts of the Nation: and make the very Pillars of our Church, State, and whole land to shake and tremble: and then we may conclude of them, their Disciples, all other *New Sects* and *Separate Conventicles*, of late years set up amongst us, by them and their confederates, in every corner, in *St. Johns words*, 1 *Epist. ch. 2. v. 18, 19. Little children it is the last time, and as ye have heard that Antichrist shall come, EVEN NOW ARE THERE MANY ANTICHRISTS: Wherby we know that it is the last time. They went out from us, but they were not of us, for if they had been of us, they would no doubt have continued with us; but they went out; that it might be made manifest, that they were not all of us: Which will evidently appear by*

**The INFORMATION** of *George Cowlishaw* of the City *The City of Bristol* aforesaid, *Ironmonger*, taken the 22. day of *Bristol*.  
*January, 1654.*

Who informeth ON HIS OATH; that in the Month of September last, this Informant had some discourse in *Bristol*, with one *Mr. Goppinger*, an *Irish* man, formerly a School-fel-



low of this, that came thither purposely for his passage into Ireland. Who told this Informant, THAT HE HAD LIVED IN ROME AND ITALY eight or nine years, and had taken upon him THE ORDER OF A FRYER OF THE FRANCISCAN COMPANY: And he told this Informant, that he had been AT LONDON lately FOR SOME MONETHS, and whilst he was THERE, he had been in all the Churches and Meetings, publique and private, that he could hear of, and that none came so near him AS THE QUAKERS: AND BEING AT A MEETING OF THE QUAKERS, HE THERE MET WITH TWO OF HIS ACQUAINTANCE IN ROME (THE WHICH TWO PERSONS WERE OF THE SAME FRANCISCAN ORDER AND COMPANY) THAT WERE NOW BECOME CHIEF SPEAKERS AMONGST THE QUAKERS, AND HE HIMSELF HAD SPOKEN AMONG THE QUAKERS IN LONDON ABOUT THIRTY TIMES, AND WAS WELL APPROVED OF AMONGST THEM. And this Informant further saith, That the said Mr. Coppinger asked him, What kindes of opinions in Religion there were in Bristol? and this Informant told him, That there were several opinions and judgements; and not naming any opinions of the Quakers; the said Mr. Coppinger asked him, Whether there had been ANY QUAKERS in Bristol? And the said Informant answered him, NO. Whereupon the said Mr. Coppinger told him, the said Informant, 2 or 3 times, That if he did love his Religion and his Soul, he should not bear them. Whereupon this Informant told him, That he thought none of them would come to Bristol: who expressly replied, that if this Informant would give him five pounds, he would make it five hundred pounds, IF SOME QUAKERS DID NOT COME TO BRISTOL WITHIN THREE WEEKS OR A MONETH THEN FOLLOWING. And on the morrow following, the said Coppinger departed from this City for Ireland, his native place; and ABOUT EIGHTEEN DAYES AFTER, THERE CAME TO THIS CITY \* TWO PERSONS THAT BEAR THE NAME OF QUAKERS.

This is a true copy of the originall information taken upon oath at Bristol as aforesaid, the 22 of January last: from whence the Reader and whole Nation may take notice; especially

\* Most likely his two fellow Franciscan Fryers fore-mentioned, who have there done much hurt and gained many Disciples, disturbed two of the Ministers publicly in the Church, and assaulted, wounded one of them in the streets very lately.

cially those in present power, who should prevent such dangerous growing mischiefs with greatest care, not connive at them any longer.

1. That there are multitudes of *Latish*, *Emissaries* and *Provincials* now roving and wandering up and down freely amongst us, to seduce and divide the people, by setting up *New Sects* and *separate Congregations* in all places, and broaching new *Notions* and *Opinions* of all sorts; or old *Heresies* or *Bloshemies*, not saying *Masse*, praying to *Saints* and *Angels*, or crying up the *Pope's* Supremacy, &c. as heretofore.

2. That they are the chief *Speakers* and *Rulers* in most *Protestant* Congregations, and particularly amongst the *Quakers*, amongst whom the *French* and *Fryers* act their parts as well as the *Jesuits*.

3. That they have their several *Missions* and *Directions* into all parts from their *Generals* and *Superiors* of their respective *Orders*, residing commonly in *London*, and are all fore-acquainted both with the *places* and *times* of their severall *Missions*; seeing *Copinger* could so certainly predict the time of their *Mission* and coming to *Bristol*: where they have done much harm, and assaulted, disturbed the *Ministers* both in *public* and *private*.

4. That the *Pope* and these his *Emissaries* chief endeavours are, to draw the people from our *Churches*, *public* Congregations, *Ordinances*, *Ministries*, *Religion*, and to divide and crumble us into as many *Sects*, *separate* *Communities*, as they have *Popish* *Orders*; and thereby into as many *civil* parties, factions, as possibly they can, to ruine us thereby. Mar. 12. 29. 27.

5. That by this their *New* *Shedding* and *Liberty*, they have (under the Disguise of being *Quakers*, *Soakers*, *Anabaptists*, *Independents*, *Romans*, *Dippers*, *Amirantians*, *Antiseparatists*, and the like) gained more *Proselytes*, *Disciples*, and done more harm in eight or nine years space to the *Church* and *Realm* of *England*, more prejudice, dishonour, scandal to our *Religion* and *Ministries*, then ever they did by saying *Masse*, or preaching, priveling any points of *grossest* *Papery* in 80 years time heretofore. And if not speedily, diligently restrained, repressed, will soon utterly overturn both our *Church*, *Religion*, *Ministry* and *State* too in conclusion, having already brought them to sad confusions and distractions.

It is the observation of many learned intelligent

\* *Practitioners*, who

\* And of G. Example is here reclaimed Quaker in his Northern Blast.

b Witnesse extreme unition, used by many separate congregations, & their reculancy, to hear our Ministers, or come to our publique Ordinances and the like.

c See G. Emmet his Northern Blast with Gypsies Book, both relencing Quakers.

d See *viurus de Praestigia Demoni*, l. 1. c. 10. & 17. in Jo. Gerson de Probatione spirituum.

f Imitated by some women Quakers.

g See G. Emmet his Northern Blast, p. 1. 13, 14.

who have most pried into the Opinions and Practises of all our late New Sects, That their Books, Writings, Speakings, Preachments, b Practises, are interlarded, and mixed with some Jesuiticall and Popish Tenents, Opinions, Ceremonies, and Practises; by which we may as visibly discover a Jesuit, a Popish Priest or Freer in them, as we may a Lean by his paws. And nothing (in my judgement) more clearly detects the Popish Factors, Priests, Jesuites, to be the principall inventors, erectors of; *Altars, Rules, Speakers* amongst our Quakers & other new Sects; then their pretended c extraordinary sudden extravagant Agonies, Trances, Quakings, Shakings, Raptures, Visions, Apparitions, Conflicts with Demons, Revelations, Illuminations, instructions in new divine Mysteries and seraphicall Divinity, whereof they pretend they were wholly ignorant before; being illiterate persons; their intimate familiarity and immediate communion with God and Jesus Christ, in and after their agonies, undectusies; their extraordinary callings, missions, messages, in such and such particular orders, sects, places, persons; their sudden speaking, understanding of severall languages which they pretend they never learned, but got by inspiration: all which are the very same in form and substance with those ridiculous lying Enthusiasms, Impositions, Cheats, Agonies, d Revelations, Visions, Raptures, Illuminations, Inspirations, Apparitions, &c. of Popish Saints, Freers, Priests, Jesuites, Nuns, recorded in the lying Legends and lives of their Romish Canonized SAINTS, by *Cyprian, Sartin, Lippomanus, Ribadeniera, Massieu*, and others of their fraternity, especially in the lives of S. Francis, and Ignatius Loyola (the Founders of the Franciscans and Jesuites Orders, the principall actors, speakers amongst the Quakers & other late Enthusiasts, if fully examined) of St. Dominick, for men: and of St. Katherine of Sienna, and St. f Briget of Sweden, for women: in her Life and Revelations, printed in Folio at Nuremberg, anno 1524. whence most of our new Revelations, and Impositions are extracted, as those who will but compare them may at first discern. And though they conceal their Jesuitism & grossest points of Popery from these Disciples at first, baiting their hooks only with pleasing Novelties, the wares of Superlative Sanctity, and g invectives against our Ministers, Ordinances, Church, Tithes, Presbyterian government, and the like: that so they may more easily catch the silly people; yet they discover their Jesuiticall positions, and Popish Devices more openly by degrees, at last, crying them up for new Gospel

Gospel Light amongst the ignorant vulgar, and crying down our Protestant Ministers, Ordinances, Sacraments, the Articles of our Creed, Church, Liturgies, Gods Ten Commandments, the Lords Prayer, our Churches, and sometimes the Letter of the Old and New Testament as Popish and Anti-christian, as the Freres and Jesuites did heretofore both in their Books and Discourses in their very language. And it is evident by some late instances, that they are Anti-magistraticall as well as Anti-ministerial. Yea, that these Quakers use enchanted Potions, Bracelets, Ribons, Sorcery and Witchcraft, to intoxicate their Novices, and draw them to their party; As Simon Magus bewitched the people of Samaria with his Sorceries, Act. 6. 9, 11. and other seducing false teachers, bewitched the foolish Galatians, that they should not obey the truth, Gal. 3. 1. Which Enchantments, Sorceries, Charmes, Fascinations, and Exorcismes, are very frequent amongst Popes and Popish Priests, Monks, Freres, Jesuites, as you may read at large in Johannes Wierus de Praestigiis Demonum & Incantationibus. Basilea 1568. especially 1. 2. c. 7. l. 5. v. 2. 3. 4. 5. 6. 7. 8. Platina, Benno Cardinalis, Balaam, and others in the lives of Pope Silverster, 2. Benedict. the 9. Job. 20 & 21, and other Popes, who were all most infamous Magicians, Sorcerers, and Incanters, by which black arts they got the Papacy. And Del Rio his Disquisitio Magica, and John Gee his Foot out of the Snare, London, 1624. will prove the Jesuites and Priests in England, are still accustomed to them, to win and seduce their Proselytes.

Let all our Rulers, Ministers and people therefore, who have any care of their own or others Soules, or our Churches, Kingdomes, safety and settlement, now seriously consider that speech of our Saviour Christ himself, Job. 10. 1, 10, 11, 12. Verily, verily, I say unto you, He that entereth not by the door, into the sheep-fold, but climbeth up some other way, (as these new Romish Apostles and wandering Predicants do) THE SAME IS A THEEF AND A ROBBER. The thief cometh not BUT FOR TO STEAL, AND TO KILL, AND TO DESTROY. The good shepherd giveth his life for the sheep: But he that is an hireling, and not the shepherd, whose own the sheep are not, seeth the wolf coming, & leaveth the sheep and fleeth, and the wolf catcheth them, and scattereth the sheep. And such false shepherds and hirelings (whether Ecclesiasticall or Temporall) who through negligence,

The Jesuites, Popish Priests and Fryers condemned our Ministers heretofore as unlawfull Ministers, because they derived not their ordination from the Church of Rome: now they turn the scales & affirm them to be no lawfull Ministers but Antichristian and Popish, upon this false pretext, That they derive their Ordination and Ministry from the Pope and Church of Rome.

See John Gildes, and other printed Relations concerning the Quakers in the North.

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cowardize, or any other dilige, shall suffer such Romish Wolves, Thieves, and Robbers as these, to scatter and devour their sheep, in St. Bernards verbiage are, **PASTORES NON OVUM, SED LUPORUM**: Pastors only of the wolves, not sheep, and in the opinion of Christ, and all real Christians likewise.

We shall conclude all with this word to Magistrates, Cant.

2. 15. *Take for us the Foxes, the little Foxes that spoyle the vines, for our vines have tender grapes.* Search after, restrain, secure, prosecute, punish all Romish Foxes, Wolves, Conspirators, Enemies, Traitors, to our Church and Religion, with as great care, diligence, zeal, as you now, search after, restrain, secure, prosecute any real, or imaginary Plotters, Conspirators, Enemies, Traitors to the Kingdome, Nation, or your selves: And be as vigilant, as industrious to secure Gods and our Churches cause, interest, as your own, that so you may turn away Gods wrath, and inherit Phineas his praise and benediction for his zeal in this kinde, Numb. 25. 11, 12, 23. With these four Apostolical admonitions and cautions to the people, recorded in the Gospel, as the best preservatives against seducers. Rom. 16. 17, 18. Now I beseech you Brethren mark them which cause **DIVISIONS** and **OFFENCES**, contrary to the Doctrine which you have received, and **AVOID THEM**. For they that are such, serve not our Lord Jesus Christ, but their own bellies, and by good words and fair speeches deceive the hearts of the simple. 2 Tim. 3. 13. 14. But villen men and seducers shall wax worse and worse, deceiving and being deceived. But continue thou in the things which thou hast heard, and hast been assured of, knowing of whom thou hast learned them. Ephes. 4. 14. Henceforth be no more Children, tossed to and fro, and carried about with every wind of doctrine, by the sleight of men, and cunning craftiness whereby they lie in wait to deceive. And 2 Joh. 10. 11. If there come any unto you, and bring not this Doctrine, receive him not into your house, neither bid him God speed, for he that biddeth him God speed, **IS PARTAKER OF HIS EVIL DEEDS**. And with this complaint and prayer to God himself, Psal. 60. 1, 2. O God thou hast cast us off, thou hast broken us, thou hast been displeased: O turn thy self to us again: Thou hast made the land to tremble, thou hast broken **Cana** \* **divided it**: O heal the breacher thereof, **FOR IT SHAKETH**.

\* So the old Translation renders it.

**FINIS.**

